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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious and merciful God, we give You thanks for giving us another day.

As the 115th Congress draws near a close, we are reminded by Scripture that for every thing, there is an appointed time:

A time to weep, and a time to laugh;

A time to mourn, and a time to dance. . . .

A time to embrace, and a time to be far from embraces. . . .

A time to be silent, and a time to speak.

In the people's House there is also a time to win an election and a time to lose; a time to be sworn in and a time to retire.

While it may be difficult to go through such transitions, we know, as did the author of Ecclesiastes, that the time does come to say good-bye to those who will be missed dearly for, indeed, in electoral politics, that is just the way it is.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Mrs. TORRES) come forward and lead the House in the Pledge of Allegiance.

Mrs. TORRES led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HAPPY TRAILS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, it has been the honor of my life to serve in Congress.

Today, I am reminded of why I came here in the first place. Thomas Jefferson said it quite well: ''We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of happiness . . . Governments''—that would be us—''are instituted among Men'' to secure those rights.

Mr. Speaker, that is our mission statement: Congress is the protector of freedom and liberty. Congress must make sure that the bell of Liberty rings loudly and strongly, for the American bright star is the beaming beacon of hope: the hope that all oppressed peoples yearn to possess.

So, in my final words as a Member of Congress in this House of Representatives, Congress must hold fast to these truths: that in God we must trust and be faithful servants of the sacred constitutional principles of freedom of religion, speech, press, and assembly, for this is our eternal duty.

Happy trails.

And that is just the way it is.

HONORING HELEN WITTY

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to congratulate my constituent Helen Witty on being named the national president of Mothers Against Drunk Driving, also known as MADD.

Helen, along with her husband, John, experienced the ultimate tragedy when their 16-year-old daughter, Helen Marie Witty, shown in this photo with her brother John was killed by a young drunk and drugged driver while she was rollerblading on a bike path near her home in Pinecrest in June of 2000.

It was not long after that nightmare that Helen joined this magnificent organization where she was able to channel her unbearable loss into a forward-looking outlet where she could be a champion for her daughter's legacy, while also making an effective and positive impact on society.

Although 18 years have passed, it seems like just yesterday that we lost our bright, beautiful Palmetto Senior High School honors student who became a beloved treasure in our hometown and who is still widely talked about and referenced throughout our community today.

Helen, congratulations on this incredible achievement, and this opportunity is rightfully deserved to spread your message that it is a crime to drive drunk and drugged.

South Florida is fortunate to have Helen, and I am confident that Helen Marie is looking down from Heaven and could not be any more proud of you.

Thank you, amiga.

SAUDI WAR CRIMES IN YEMEN

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, millions of American families will be enjoying the bounty of our great Nation at this very special time of the year without realizing that their tax dollars are subsiding Saudi war crimes in Yemen.

It is estimated that every 10 minutes, another Yemeni child dies from starvation, disease, or bombs made in America. President Trump has basically delegated his policy in this region to the Saudis, even after the murder and dismemberment of an American resident directly linked to the crown prince. That has not been enough to alter American policy.

So today, once again, a number of us are calling directly and respectfully on Speaker PAUL RYAN to stop the blockade on behalf of President Trump and allow this House to vote—vote now—on what has already been approved by the United States Senate on a strong bipartisan basis, a resolution to withdraw U.S. support from the Saudi forces in the murderous war in Yemen.

Let's stop America's role in the worst humanitarian disaster in the world today.

FAREWELL

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, it is not easy to summarize 32 years in Congress, but I will try.

Politics comes from the Greek word ''polites,'' meaning citizens, and they are the source of our country's strength.

What I remember most, what was especially meaningful, what made me feel fortunate were the colleagues I served with, the people I worked with, and the constituents we helped.

To my colleagues, thank you for your public service. You didn't have to leave families behind or spend extra hours every week in a car or on a plane, but you did it with a genuine desire to advance America's worthy interests.

To my staff members, past and present, in the D.C. and Texas offices and on the committees I chaired, thank you for your dedication and for advising me on legislation and votes and for assisting thousands of constituents.

To my constituents, thank you for trusting me to represent you all these good years. It has been a wonderful honor.

THE WALLS IN BAGHDAD HAVE COME DOWN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, The Wall Street Journal last week reported that the ''Baghdad Blast Walls Come Down.'' It explained that ''the Iraqi Government marked the first anniversary of the Islamic State's defeat Monday by reopening parts of Baghdad's Green Zone.'' Iraqi forces, along with support from the U.S.-led alliance, reclaimed the last of Islamic State territory last December.

The article notes that ''the changes at the Green Zone reflect declining violence across Iraq that is particularly tangible in Baghdad, and further states that: ''Over 1,000 streets in Baghdad have been reopened during the past 2 years, with 70,000 segments of concrete blast wall removed. The number of civilians killed across Iraq by terrorism, violence, and armed conflict in November fell to its lowest level in 6 years, according to the United Nations.''

As a grateful dad who has had two of my four military sons serve in Iraq, I am particularly happy for the Iraqi people.

In conclusion, God bless our troops, and may we never forget September the 11th in the global war on terrorism.

WREATHS ACROSS AMERICA IN PROSPECT PARK

(Ms. WILD asked and was given permission to address the House for 1 minute.)

Ms. WILD. Mr. Speaker, this past weekend, volunteers across the country honored fallen servicemembers on National Wreaths Across America Day. While the focal point of this national day of remembrance is the laying of wreaths at Arlington National Cemetery, ceremonies also took place at local cemeteries across the country.

I had the honor of participating in a wreath-laying ceremony in Prospect Park, Pennsylvania, a tiny borough no more than a mile square, in Delaware County. On a raw and rainy Saturday, 2 weeks before Christmas, nearly 50 community members turned out to lay wreaths upon veterans' graves at an historic cemetery atop Prospect Hill. Among those honored was George Wood, a soldier who lost his life at Gettysburg on July 7, 1863.

As we stood in the drizzle, listening to ''Taps,'' I thought about the many ways in which people served their communities. Obviously, those who serve in our Armed Forces commit to providing the ultimate service. But on that hilltop last weekend, there were so many others willing to spend the time to step up with their neighbors, honor the sacrifice of others, and bring a community together.

I want to recognize Joyce Foresman-Capuzzi, the nurse who learned about the Wreaths Across America program and brought her neighbors together to have it in Prospect Park. I want to recognize Reverend Chris Hensley Terrell, the pastor of Prospect Hill Baptist Church, which hosted the event.

But the event wouldn't have been the success that it was without the participation of other volunteers, the members of the Prospect Park Borough Council, the Prospect Park Volunteer Fire Department, and local veterans and their families. There was also great support from the local elementary school principal and students at Prospect Park Elementary, many of whom helped lay wreaths.

I want to thank all these community members for allowing me to participate in their ceremony, and I thank them for their service.

SYRIA

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, today, I rise on the House floor to object to President Trump's decision to withdraw all U.S. troops from Syria.

I encourage the President to remember the poor decision of the Obama administration in 2011, when the United States announced its withdrawal from a ''stable Iraq.'' ISIS is not defeated and may have as many as 30,000 fighters remaining in Syria. Atrocities being committed by the brutal dictator, Assad, and his henchmen, including Russia and Iran, will now continue with impunity. This opens the door for Iran to consolidate gains.

I am especially concerned with the tragic consequences this will have months and years down the road. The United States policy in Syria must ensure the lasting defeat of ISIS, roll back Iranian influence, and achieve a political solution to the crisis.

I echo the late John McCain and his message from 2011, as it applies today. This decision is a ''sad case of political expediency supplanting military necessity.''

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 88, SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION ACT; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 24, 2018, THROUGH JANUARY 3, 2019

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1180 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1180

Resolved, That upon adoption of this resolution it shall be in order to take from the

Speaker's table the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115-87. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. On any legislative day of the second session of the One Hundred Fifteenth Congress after December 23, 2018—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore (Mr. YODER). The gentleman from Texas is recognized for 1 hour.

□ 0915

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Mrs. TORRES), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, thank you and Merry Christmas. It is also Merry Christmastime to the American people, Mr. Speaker, as Congress moves to its final resolution for this term.

Mr. Speaker, we can't forget that there is important work that is still to be done. The American people sent us here to do work and expect us to do that.

Today I lay before the House the Rules Committee Print 115–87, the text of the House amendment to the Senate amendment to H.R. 88. Now, that may sound pretty pro forma, just like a normal bill, but, Mr. Speaker, what is in here is not a normal bill.

In fact, it is a compilation of things which we do every year that are called tax extenders because we have been unable, necessarily, to agree on them for a longer term. So, one year to the next year to the next year, we gather together before we leave, and we normally come to an agreement. We have done this virtually every year I have been in Congress.

We say on a bipartisan basis and a bicameral basis: Let's make sure that we take care of the things that have not been taken care of on a longer basis now.

What might that mean, Mr. Speaker? Well, that means that we, as a body, need to be responsible and understand that during the year there have been a number of circumstances also that contributed to people needing tax help. Some of them are fires. Some of them are earthquakes.

Some of them are the changing of the circumstances back home where we are trying to make sure that the Tax Code is updated in this tax year now so that if someone—for instance, if they are in a California wildfire—loses everything they have got, they know that Congress has passed laws that help them as they move forward to rebuild their home, to make decisions about their future.

It could be, Mr. Speaker, that a lot of work that the gentlewoman from Kansas, who is a member of the Ways and Means Committee, one of your colleagues on that committee, had done to make sure that any whistleblower who saw something that was going wrong at work for tax-related matters is protected.

These are important issues. But they are also important because there are broader activities, and they deal with taxation that was put into the Affordable Care Act. It is called ObamaCare, but it is the Affordable Care Act from years back.

What this Republican Congress has done is shielded, protected the American people from many of the devastating effects, notwithstanding that this Congress and the President, President Trump, signed the law that takes away the individual mandate—not the business mandate but the individual mandate.

But, Mr. Speaker, there are still three hugely onerous provisions that still lag on from that piece of legislation. Embedded in that is something called the medical device tax. The medical device tax is a tax on the newest technology—not, Mr. Speaker, on the sale of that to where, okay, Uncle Sam wants a little bit more of that, but the onerous part is it is on the manufacture.

And when you put a tax on the manufacturing piece, that means that that product is not produced in an effective, efficient way. That means that they are produced one at a time because, upon that manufacture, the tax has to be paid, not upon the sale.

It is something we fought on, I thought on a bipartisan basis, but it seems like today it is simply partisan, simply only Republicans, really, when it comes down to it, who are for doing away with the medical device tax.

There is something called the Cadillac tax. That is the Democratic Party's and President Obama's idea of you really shouldn't have better healthcare than somebody else, and if you do, we are going to tax that asset. It is at the heart of the Affordable Care Act.

This Cadillac tax has been, every single year, deferred, stopped, agreed to. We are not going to apply that Cadillac tax, because it is on people, many of them who work for unions, people who have earned the right to have the healthcare that they have but the Democratic Party wants to tax it.

Lastly, the healthcare tax. And that is a tax on every single person that has a healthcare policy. It is about $70. That means that every single American is going to pay an extra tax because they have healthcare.

These are things that the Republican Party had worked on, and we thought we were, on a bipartisan basis, going to take care of these issues. We find out, really, today, that is not true.

But I think we found out around election time the real effort for the Democratic Party. It is called H.R. 676, Medicare for All. Mr. Speaker, to those of us who have looked at the bill, section 102 lays out every single piece part of healthcare that you could think of, from an audiologist, to a dentist, to a person who may provide massage therapy.

Section 104 in that bill outlaws all private health insurance in America if a piece part that was in section 102 is provided or paid for by a health insurer. It outlaws all private insurance. What does that also mean? That means employer-provided insurance under H.R. 676, section 104.

So, Mr. Speaker, sometimes you have got to read to the end of the book or watch the end of the movie to see exactly what the plot and the theme is.

Mr. Speaker, we have, for the last 8 years, been going down a pathway of thinking that what we were doing was really bipartisan, that our colleagues on the Democratic Party were really opposed to the Cadillac tax because they consented and agreed to it, voted for it, that the medical device tax was something that they understood would cause great harm and increase prices and deny people to get the best technology.

We thought they were going along with this. We thought they understood how important it was not to tax medical devices, the latest technology that saves lives. And we thought that they understood that the healthcare tax of $70 on every single health insurance plan in this country was probably a bad idea after we already had the Affordable Care Act signed into law.

I find out now I was wrong. I was wrong, and I think the American people were fooled. The medical device tax, the Cadillac tax, and the healthcare tax are in this package, along with the ability to help the people in California and on the West Coast and other people who were a part of natural disasters, people who are seeking help where they are finding an employer doing something wrong, to give them that needed opportunity to protect themselves, a safe harbor.

So much is being done in here at the end of the year, but that is not the

story that was told at the Rules Committee. The story that was told is: Oh, this is just about the top 1 percent. This is just about a special deal.

Mr. Speaker, that is a long way from, not just the facts of the case, but the truth. So I am here, as chairman of the Rules Committee, bringing to the floor an opportunity to, once again, do as we have done in the past to say the healthcare tax, the medical device tax, the Cadillac tax—we are asking my colleagues to join with us.

It is a very genuine offer. It is an offer that has been extended and accepted for the past few years, since the Affordable Care Act passed. It is the right thing to do.

So I will ask each of the Members of this body to pay attention, to see what is in there, help the people who have been a part of natural disasters this year. Let's get this package done. It is the right thing to do.

And I can sincerely look at you, Mr. Speaker, and say thank you. Thank you for your years of service, but thank you for making sure that we were faithful to the end. Even though it is starting to look a lot like Christmas, we still have to do our work.

Mr. Speaker, I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Texas for yielding me the customary 30 minutes.

Mr. Speaker, this rule represents many of the failures of the 115th Congress. To put it succinctly, the legislation before us is a bill which has absolutely no chance of passing into law and a bill that will add billions—billions—of dollars to our national debt.

I guess this is a Merry Christmas to those who hold our national debt, but this is not what our constituents sent us to do here. They sent us here to work together and find compromise in order to make our communities, their lives, better.

This rule makes in order the Senate amendment to H.R. 88, Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act.

But it is more accurate to say this is the GOP's second tax scam. Instead of taking this opportunity to use our remaining time here to actually accomplish something, our vote today on this rule will prove to be meaningless. The Senate is leaving town and has left us just a few items that we can accomplish, and this isn't one of them.

However, one item that is ready for passage is Savanna's Act.

Mr. Speaker, Native American women face a murder rate 10 times higher than the national average, with 84 percent experiencing some form of violence in their lifetime.

The Violence Against Women Reauthorization Act of 2013 and the Tribal Law and Order Act have helped bring attention to the high rates of violence against Native women. However, there is still no reliable way of knowing how many Native women go missing each year because the databases that hold statistics of these cases are extremely outdated and in need of reform.

Congress hasn't paid attention to the lives of Native American women. That is why I joined Senator HEITKAMP in introducing Savanna's Act earlier this year, named after Savanna Greywind, a pregnant, 22-year-old North Dakota woman and member of the Spirit Lake Nation, who was murdered in 2017.

Savanna's Act would require the Department of Justice to finally keep a nationwide database of missing and murdered Native women.

This is common sense. It passed the Senate unanimously last month.

□ 0930

One Member—one Member of this body—has decided to prevent us from passing Savanna's Act, and the rest have capitulated, one Member standing in the way of finally doing the right thing for Native women, American women, women who are victims of crime. Shameful, and shame on this body for allowing this and not taking this last week of the 115th Congress to finally bring about some justice to these cases.

Now, one thing that this body, the 115th Congress, has been really good for in the face of tragedy has been moments of silence, and that is why, today, I want to take some time that we have left to have a moment of silence. Mr. Speaker, I would like my colleagues to join me in a moment of silence for Savanna.

Mr. Speaker, instead of taking action on Savanna's Act, we are asked to vote on this rule to pass a tax bill which has been crafted in secret and has no chance of becoming law, when we could be doing something for justice, for truth, for victims of crime.

This is the 115th Congress. Good riddance.

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the argument that we are involved in today is whether we are going to, as this body, on a bipartisan, bicameral basis, understand that it is about hundreds of billions of dollars. It is about hundreds of billions of dollars that the American people have been spared from.

Mr. Speaker, we are not undertaxed. We spend too much money. But that is not what this is about. What this is about is control. This is about the control that some in this body want over people's lives.

This is not about whether we are going to arbitrarily cause the Federal Government to be in trouble over a Cadillac tax, a medical device tax, a healthcare tax and blame that on greedy people back home who, by virtue of them wanting to have healthcare and robust healthcare and better healthcare but somebody in Washington does not want them to have it and blames them on being greedy for what might be billions of dollars when you add up everybody across the country; this is about control. This is about controlling people's lives.

And, Mr. Speaker, I will once again say it. I had thought, during these years, we came to an agreement that the Cadillac tax, the medical device tax, the healthcare tax, things that happened during the year, whether they be tornadoes, whether they be wildfires, whether they be other circumstances, would still be able to be reached on a bipartisan, bicameral basis.

After all, President Obama signed these into law.

After all, the American people understood that their gift for being gracious and working and doing the right thing shouldn't be an onerous tax.

After all, many people who live, as an example, in Minnesota could look up and see where their two Democratic Senators fought hard to make sure this medical device tax that was the lynchpin for tens of thousands of jobs in medical innovation, that we could get together and work together.

Now we find out, no, that is wrong. That is wrong. What we want is we want that $180 billion. We want that. You can't have that, and we are going to tax you because we can, because we can control your life and the outcome of your healthcare; because, actually, those who have great healthcare, yours is greedy, so we are going to tax it.

So, Mr. Speaker, that is why the Republican Party in the House of Representatives is here today, as stalwarts of not just the middle class of this country but stalwarts of people who understand people get up and go to work—yes, the union worker, too.

That union worker will find out, loud and clear, the party that was for taxing their healthcare, their working healthcare.

The people in these States, where medical devices are robust and made America at the top of the world, they will understand.

And the people, who are average families like those in Dallas, Texas, which I proudly represent, they will understand somebody was for taxing them further and somebody tried to continue what we have done now for years and not tax them on their healthcare.

So it is about control, and I am sure we will find out, as the new year comes around, about H.R. 676, Medicare for All, that will outlaw all employer-provided private healthcare in this country. That is what the bill says. It is very plain. Section 104 gets right to it. That is what this is about.

Mr. Speaker, I reserve the balance of my time.

Mrs. TORRES. Mr. Speaker, does the gentleman from Texas have any more speakers?

Mr. SESSIONS. Mr. Speaker, I do not.

Mrs. TORRES. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, it is just about time to finish up here and return home for the holidays, time to see our loved ones and give them a hug. But for Savanna's family and the countless other Native American families destroyed because of this violence, there will be no return home for them, and we will have failed these families by not passing Savanna's Act today.

Instead, we are here because of a wall—not the wall that you are assuming, not talking about our southern wall. I am talking about the wall of debt, a massive wall of debt that this Republican Congress has built, trillions—trillions—of dollars of debt towering over our children and grandchildren's future. This rule will build it even higher. That is why I urge my colleagues to oppose the previous question and the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I appreciate the distinguished gentlewoman from California, not only her comments and her ideas—I know they are well represented by the Democratic Party.

I would say to her that the people who vote against this bill will turn their back on the people who had the wildfires in California, the tornadoes in Georgia, the opportunities to help provide proper instructive help on their taxes this year as they enter next year. After all, it did happen this year.

But perhaps, more than that, Mr. Speaker, we recognize now more about shifting the blame for 8 years and $9 trillion worth of spending. They called it investment.

This Republican Congress, 1 year ago, almost to the day, passed a tax bill that has created the greatest economy in the history of this country. More revenue is coming in today than has ever come in in the history of the country. More people are working today because of that tax bill done 1 year ago. More people, more African Americans, more women, more families have an opportunity to enjoy the benefits of a job and the creation therein that they come home at night a little bit more satisfied, and their children, in the next generation, see work as a positive attribute, and communities are turning the corner.

Mr. Speaker, gas is $1.82 in Dallas, Texas. What a far cry from when it was almost $5 at the same time in President Obama's administration when the Democrats were running the place: the House, the Senate, and the Presidency. Oh, Mr. Speaker, we have not forgotten what a difference it makes, but the finger-pointing still continues.

Mr. Speaker, let the RECORD reflect, itself, that we have more revenue than ever coming in, more people working than ever, more opportunity for people, and part of that success has been because Republicans chose not to have a healthcare tax, a medical device tax, a Cadillac tax, choose not to make in order H.R. 676, Medicare for All, that would outlaw all employer-provided healthcare in this country.

Mr. Speaker, the differences between our ideas really find themselves at the center point of what we do today.

Last night in the Rules Committee, the distinguished gentleman from Lewisville, Texas, Dr. MICHAEL BURGESS, a retired physician who has delivered more than 3,000 babies, said that he had sat through, for years, these arguments at the Energy and Commerce Committee, and he lamented how the story really is not told about some 3 million people who now have jobs in this country, that a number of them that is undefined also got employer-provided healthcare; and that while there may be 1 million out of that 3 million who went to a larger company, it is their families that benefited because there was maybe a spouse behind that and a child or two who had previously been without employer-provided healthcare.

Now we are going to find out that Grinch showed up at Christmas, this rush to get out the door where we failed to secure the door, where we were so eager to get home rather than do our work.

Mr. Speaker, I can't imagine that somebody would just want to say, ''It is okay; it is Christmastime; let's get home,'' and then stick coal in each of the stockings of the American people who have healthcare, stick coal in the stockings of the medical device employees and employers, stick coal into the stockings of the medical community for doctors who had been providing these leading-edge ideas in medical devices, stick coal in the stockings of the workers of America who might have great healthcare only to find out that somebody who had voted for it for years turned their back. So that is why we are here.

Mr. Speaker, here is the bill right here, pretty easy to do. We have seen it a number of times. Nobody complained they didn't have time to read the bill. They actually know what is in it this time.

□ 0945

They actually know what they would not be supporting. They are going to put their vote and be on the line, and we are going to find out where people really are.

So, Mr. Speaker, that is the debate, whether we are going to step up and do our job; whether we are willing to complete the task; whether we are willing to be consistent for the things that we have stood for; or whether we are willing to make excuses about, well, it is just Christmastime, and we have got to get home.

Mr. Speaker, I want to say that my party believes that we should not have a white flag in our backpack, that we should not yield and just say, well, the timing was difficult. We should stand on our two feet, not beg on our knees.

We should move forward and do our job for the American people, and that is what I am proud to say my party and myself and the Rules Committee stand for. We are men and women who can stay to get the job done, not want to get home and not have performed our duties.

So that is the story. That is the story that we are going to tell. So I urge my colleagues to support this rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1181 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1181

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 24, 2018.

SEC. 2. It shall be in order at any time through the calendar day of December 23, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, the resolution before us is a very simple one. It provides the House with the maximum flexibility to expeditiously move important legislation before the end of Congress.

The resolution allows the House to suspend the rules to consider bipartisan pieces of legislation, including the Senate-passed criminal justice reform legislation, which we will consider later today. It also allows for the House to quickly consider measures to fund the government. As we are up against a deadline, it is important that we have the ability to quickly ensure that the government does not shut down.

Mr. Speaker, I urge support of the rule and the underlying legislation, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE), my good friend, for the customary 30 minutes.

Mr. Speaker, the gentleman from Oklahoma made such a compelling argument for this rule—I can't believe I am saying this—I am going to vote for this martial law rule.

It is a shame that we are at this point, rushing to meet deadlines that have been staring us in the face for weeks and hurrying to finish up important legislative business in the waning days of this Congress. But we are where we are, and we need to be responsible.

When it comes to something like funding the government, it is appropriate to use all the tools in our toolbox to keep the lights on. So, while I think rules granting same-day authority should be avoided whenever possible, times like this are why they exist.

There is also suspension authority in this rule that would allow this House an opportunity to take up criminal justice reform, a bipartisan first step that our Republican President has already promised to sign.

With so much work in front of us today, I am not going to waste time on process. I won't belabor the President for his words and tweets, which made completing our business tougher than it needed to be. And I will even spare my friends in the majority further conversation about how I wish we weren't, once again, standing on the brink of another shutdown. Consider it my gift to them for this holiday.

This House needs to move quickly and responsibly. Everyone understands that, so I will simply say that I will be voting for this rule. I urge my colleagues to do the same, so we can finish our business and prevent another government shutdown.

Mr. Speaker, I have nothing else to say, and I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I want to thank my friend. I am going to certainly accept the gracious gift that he has offered me. I learned a long time ago, when you win an argument, you shut up and sit down. So I want to applaud my colleagues for their work.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 52 minutes a.m.), the House stood in recess.

□ 1015

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YODER) at 10 o'clock and 15 minutes a.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of House Resolution 1180;

Adoption of House Resolution 1181; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 88, SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION ACT; PROVIDING FOR THE PROCEEDINGS DURING THE PERIOD FROM DECEMBER 24, 2018, THROUGH JANUARY 3, 2019

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 1180) providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; providing for the proceedings during the period from December 24, 2018, through January 3, 2019, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 207, nays 170, not voting 55, as follows:

[Roll No. 446]

YEAS—207

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Bergman
Biggs
Bilirakis
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Hartzler
Hensarling
Hern
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd
Issa
Johnson (LA)
Johnson (OH)
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zeldin

NAYS—170

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Yarmuth

NOT VOTING—55

Barletta
Barton
Bishop (MI)
Bishop (UT)
Black
Capuano
Comstock
Costa
Crowley
Cummings
Denham
Duncan (SC)
Ellison
Green, Gene
Hanabusa
Harris
Herrera Beutler
Hultgren
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Knight
Langevin
Lipinski
Loudermilk
Love
Lowenthal
Lujan Grisham, M.
Marino
Moulton
Noem
Nolan
Olson
Pittenger
Polis
Ratcliffe
Rice (NY)
Rosen
Roskam
Ross
Scott, David
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Thompson (MS)
Tsongas
Vela
Walters, Mimi
Walz
Webster (FL)
Wilson (FL)
Young (AK)

□ 1041

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARINO. Mr. Speaker, I was unable to vote on rollcall vote 446 due to Judiciary Committee staff not notifying leadership that members were engaged in a hearing when votes were called. Had I been present, I would have voted as follows:

"Yea" for rollcall vote No. 446.

Stated against:

Mr. LANGEVIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 446.

WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES, AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore (Mr. JOHNSON of Ohio). The unfinished business is the vote on adoption of the resolution (H. Res. 1181) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the committee on rules, and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 350, nays 30, not voting 52, as follows:

[Roll No. 447]

YEAS—350

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Blackburn
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Correa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallego
Garamendi
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Hartzler
Hastings
Heck
Hensarling
Hern
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meeks
Meng
Messer
Mitchell
Moolenaar
Moore
Morelle
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Nunes
O'Halleran
O'Rourke
Palazzo
Panetta
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (IA)
Zeldin

NAYS—30

Amash
Biggs
Blum
Brat
Cloud
Cooper
DeFazio
Gallagher
Garrett
Gohmert
Gosar
Hice, Jody B.
Jordan
Labrador
Massie
Meadows
Mooney (WV)
Norman
Pallone
Palmer
Pearce
Perry
Posey
Rice (SC)
Sanford
Schrader
Sherman
Taylor
Visclosky
Yoho

NOT VOTING—52

Barletta
Barton
Bishop (MI)
Bishop (UT)
Black
Capuano
Comstock
Costa
Crowley
Cummings
Davidson
Denham
Duncan (SC)
Ellison
Green, Gene
Griffith
Hanabusa
Harris
Herrera Beutler
Hultgren
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Knight
Lipinski
Love
Lowenthal
Lujan Grisham, M.
Moulton
Noem
Nolan
Olson
Pittenger
Polis
Ratcliffe
Rice (NY)
Rosen
Roskam
Ross
Scott, David
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Thompson (MS)
Tsongas
Vela
Walz
Wilson (FL)
Young (AK)

□ 1052

Mr. NORMAN changed his vote from ''yea'' to ''nay.''

Messrs. DELANEY and GOMEZ changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, I would have voted against H. Res. 1180, the rule providing for consideration to Senate Amendment to H.R. 88, and H. Res. 1181 the Martial Law Authority Rule that occurred on the morning of December 20, 2018.

PERSONAL EXPLANATION

Mr. OLSON. Mr. Speaker, I was unable to return to Washington from my district in Texas due to a family obligation on the morning of December 20.

Had I been present, I would have voted ''yea'' on rollcall No. 446 and ''yea'' on rollcall No. 447.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2018.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 20, 2018, at 10:03 a.m.:

That the Senate passed S. 3456.

That the Senate passed S. 3523.

That the Senate agrees to the House amendment to the bill S. 943.

That the Senate agrees to the House amendment to the bill S. 2248.

That the Senate passed without amendment H.R. 1162.

That the Senate passed without amendment H.R. 1850.

That the Senate passed without amendment H.R. 3383.

That the Senate passed without amendment H.R. 5205.

That the Senate passed without amendment H.R. 5475.

That the Senate passed without amendment H.R. 5923.

That the Senate passed without amendment H.R. 6059.

That the Senate passed without amendment H.R. 6167.

That the Senate passed without amendment H.R. 6335.

That the Senate passed without amendment H.R. 6347.

That the Senate passed without amendment H.R. 6348.

That the Senate passed without amendment H.R. 6400.

That the Senate passed without amendment H.R. 6893.

That the Senate passed without amendment H.R. 6930.

That the Senate passed without amendment H.R. 7230.

That the Senate passed without amendment H.R. 7243.

Appointment: Public Safety Officer Medal of Valor Review Board.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

□ 1100

SAVE OUR SEAS ACT OF 2018

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the House amendment to the bill (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment to the House amendment is as follows:

Senate amendment to the House amendment:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''First Step Act of 2018''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—RECIDIVISM REDUCTION

SEC. 101. RISK AND NEEDS ASSESSMENT SYSTEM.

(a) IN GENERAL.—Chapter 229 of title 18, United States Code, is amended by inserting after subchapter C the following:

''SUBCHAPTER D—RISK AND NEEDS ASSESSMENT SYSTEM

''§ 3631. Duties of the Attorney General

''(a) IN GENERAL.—The Attorney General shall carry out this subchapter in consultation with—

''(1) the Director of the Bureau of Prisons;

''(2) the Director of the Administrative Office of the United States Courts;

''(3) the Director of the Office of Probation and Pretrial Services;

''(4) the Director of the National Institute of Justice;

''(5) the Director of the National Institute of Corrections; and

''(6) the Independent Review Committee authorized by the First Step Act of 2018

''(b) DUTIES.—The Attorney General shall—

''(1) conduct a review of the existing prisoner risk and needs assessment systems in operation on the date of enactment of this subchapter;

''(2) develop recommendations regarding evidence-based recidivism reduction programs and productive activities in accordance with section 3633;

''(3) conduct ongoing research and data analysis on—

''(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

''(B) the most effective and efficient uses of such programs;

''(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

''(D) products purchased by Federal agencies that are manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States;

''(4) on an annual basis, review, validate, and release publicly on the Department of Justice website the risk and needs assessment system, which review shall include—

''(A) any subsequent changes to the risk and needs assessment system made after the date of enactment of this subchapter;

''(B) the recommendations developed under paragraph (2), using the research conducted under paragraph (3);

''(C) an evaluation to ensure that the risk and needs assessment system bases the assessment of each prisoner's risk of recidivism on indicators of progress and of regression that are dynamic and that can reasonably be expected to change while in prison;

''(D) statistical validation of any tools that the risk and needs assessment system uses; and

''(E) an evaluation of the rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates;

''(5) make any revisions or updates to the risk and needs assessment system that the Attorney General determines appropriate pursuant to the review under paragraph (4), including updates to ensure that any disparities identified in paragraph (4)(E) are reduced to the greatest extent possible; and

''(6) report to Congress in accordance with section 3634.

''§ 3632. Development of risk and needs assessment system

''(a) IN GENERAL.—Not later than 210 days after the date of enactment of this subchapter, the Attorney General, in consultation with the Independent Review Committee authorized by the First Step Act of 2018, shall develop and release publicly on the Department of Justice website a risk and needs assessment system (referred to in this subchapter as the 'System'), which shall be used to—

''(1) determine the recidivism risk of each prisoner as part of the intake process, and classify each prisoner as having minimum, low, medium, or high risk for recidivism;

''(2) assess and determine, to the extent practicable, the risk of violent or serious misconduct of each prisoner;

''(3) determine the type and amount of evidence-based recidivism reduction programming that is appropriate for each prisoner and assign each prisoner to such programming accordingly, and based on the prisoner's specific criminogenic needs, and in accordance with subsection (b);

''(4) reassess the recidivism risk of each prisoner periodically, based on factors including indicators of progress, and of regression, that are dynamic and that can reasonably be expected to change while in prison;

''(5) reassign the prisoner to appropriate evidence-based recidivism reduction programs or productive activities based on the revised determination to ensure that—

''(A) all prisoners at each risk level have a meaningful opportunity to reduce their classification during the period of incarceration;

''(B) to address the specific criminogenic needs of the prisoner; and

''(C) all prisoners are able to successfully participate in such programs;

''(6) determine when to provide incentives and rewards for successful participation in evidence-based recidivism reduction programs or productive activities in accordance with subsection (e);

''(7) determine when a prisoner is ready to transfer into prerelease custody or supervised release in accordance with section 3624; and

''(8) determine the appropriate use of audio technology for program course materials with an understanding of dyslexia.

In carrying out this subsection, the Attorney General may use existing risk and needs assessment tools, as appropriate.

''(b) ASSIGNMENT OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS.—The System shall provide guidance on the type, amount, and intensity of evidence-based recidivism reduction programming and productive activities that shall be assigned for each prisoner, including—

''(1) programs in which the Bureau of Prisons shall assign the prisoner to participate, according to the prisoner's specific criminogenic needs; and

''(2) information on the best ways that the Bureau of Prisons can tailor the programs to the specific criminogenic needs of each prisoner so as to most effectively lower each prisoner's risk of recidivism.

''(c) HOUSING AND ASSIGNMENT DECISIONS.—The System shall provide guidance on program grouping and housing assignment determinations and, after accounting for the safety of each prisoner and other individuals at the prison, provide that prisoners with a similar risk level be grouped together in housing and assignment decisions to the extent practicable.

''(d) EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM INCENTIVES AND PRODUCTIVE ACTIVITIES REWARDS.—The System shall provide incentives and rewards for prisoners to participate in and complete evidence-based recidivism reduction programs as follows:

''(1) PHONE AND VISITATION PRIVILEGES.—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall receive—

''(A) phone privileges, or, if available, video conferencing privileges, for up to 30 minutes per day, and up to 510 minutes per month; and

''(B) additional time for visitation at the prison, as determined by the warden of the prison.

''(2) TRANSFER TO INSTITUTION CLOSER TO RELEASE RESIDENCE.—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall be considered by the Bureau of Prisons for placement in a facility closer to the prisoner's release residence upon request from the prisoner and subject to—

''(A) bed availability at the transfer facility;

''(B) the prisoner's security designation; and

''(C) the recommendation from the warden of the prison at which the prisoner is incarcerated at the time of making the request.

''(3) ADDITIONAL POLICIES.—The Director of the Bureau of Prisons shall develop additional policies to provide appropriate incentives for successful participation and completion of evidence-based recidivism reduction programming. The incentives shall include not less than 2 of the following:

''(A) Increased commissary spending limits and product offerings.

''(B) Extended opportunities to access the email system.

''(C) Consideration of transfer to preferred housing units (including transfer to different prison facilities).

''(D) Other incentives solicited from prisoners and determined appropriate by the Director.

''(4) TIME CREDITS.—

''(A) IN GENERAL.—A prisoner, except for an ineligible prisoner under subparagraph (D), who successfully completes evidence-based recidivism reduction programming or productive activities, shall earn time credits as follows:

''(i) A prisoner shall earn 10 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

''(ii) A prisoner determined by the Bureau of Prisons to be at a minimum or low risk for recidivating, who, over 2 consecutive assessments, has not increased their risk of recidivism, shall earn an additional 5 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

''(B) AVAILABILITY.—A prisoner may not earn time credits under this paragraph for an evidence-based recidivism reduction program that the prisoner successfully completed—

''(i) prior to the date of enactment of this subchapter; or

''(ii) during official detention prior to the date that the prisoner's sentence commences under section 3585(a).

''(C) APPLICATION OF TIME CREDITS TOWARD PRERELEASE CUSTODY OR SUPERVISED RELEASE.—Time credits earned under this paragraph by prisoners who successfully participate in recidivism reduction programs or productive activities shall be applied toward time in prerelease custody or supervised release. The Director of the Bureau of Prisons shall transfer eligible prisoners, as determined under section 3624(g), into prerelease custody or supervised release.

''(D) INELIGIBLE PRISONERS.—A prisoner is ineligible to receive time credits under this paragraph if the prisoner is serving a sentence for a conviction under any of the following provisions of law:

''(i) Section 32, relating to destruction of aircraft or aircraft facilities.

''(ii) Section 33, relating to destruction of motor vehicles or motor vehicle facilities.

''(iii) Section 36, relating to drive-by shootings.

''(iv) Section 81, relating to arson within special maritime and territorial jurisdiction.

''(v) Section 111(b), relating to assaulting, resisting, or impeding certain officers or employees using a deadly or dangerous weapon or inflicting bodily injury.

''(vi) Paragraph (1), (7), or (8) of section 113(a), relating to assault with intent to commit murder, assault resulting in substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years, or assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate.

''(vii) Section 115, relating to influencing, impeding, or retaliating against a Federal official by injuring a family member, except for a threat made in violation of that section.

''(viii) Section 116, relating to female genital mutilation.

''(ix) Section 117, relating to domestic assault by a habitual offender.

''(x) Any section of chapter 10, relating to biological weapons.

''(xi) Any section of chapter 11B, relating to chemical weapons.

''(xii) Section 351, relating to Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault.

''(xiii) Section 521, relating to criminal street gangs.

''(xiv) Section 751, relating to prisoners in custody of an institution or officer.

''(xv) Section 793, relating to gathering, transmitting, or losing defense information.

''(xvi) Section 794, relating to gathering or delivering defense information to aid a foreign government.

''(xvii) Any section of chapter 39, relating to explosives and other dangerous articles, except for section 836 (relating to the transportation of fireworks into a State prohibiting sale or use).

''(xviii) Section 842(p), relating to distribution of information relating to explosives, destructive devices, and weapons of mass destruction, but only if the conviction involved a weapon of mass destruction (as defined in section 2332a(c)).

''(xix) Subsection (f)(3), (h), or (i) of section 844, relating to the use of fire or an explosive.

''(xx) Section 871, relating to threats against the President and successors to the Presidency.

''(xxi) Section 879, relating to threats against former Presidents and certain other persons.

''(xxii) Section 924(c), relating to unlawful possession or use of a firearm during and in relation to any crime of violence or drug trafficking crime.

''(xxiii) Section 1030(a)(1), relating to fraud and related activity in connection with computers.

''(xxiv) Section 1091, relating to genocide.

''(xxv) Any section of chapter 51, relating to homicide, except for section 1112 (relating to manslaughter), 1113 (relating to attempt to commit murder or manslaughter, but only if the conviction was for an attempt to commit manslaughter), 1115 (relating to misconduct or neglect of ship officers), or 1122 (relating to protection against the human immunodeficiency virus).

''(xxvi) Any section of chapter 55, relating to kidnapping.

''(xxvii) Any offense under chapter 77, relating to peonage, slavery, and trafficking in persons, except for sections 1593 through 1596.

''(xxviii) Section 1751, relating to Presidential and Presidential staff assassination, kidnapping, and assault.

''(xxix) Section 1791, relating to providing or possessing contraband in prison.

''(xxx) Section 1792, relating to mutiny and riots.

''(xxxi) Section 1841(a)(2)(C), relating to intentionally killing or attempting to kill an unborn child.

''(xxxii) Section 1992, relating to terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air.

''(xxxiii) Section 2113(e), relating to bank robbery resulting in death.

''(xxxiv) Section 2118(c), relating to robberies and burglaries involving controlled substances resulting in assault, putting in jeopardy the life of any person by the use of a dangerous weapon or device, or death.

''(xxxv) Section 2119, relating to taking a motor vehicle (commonly referred to as 'carjacking').

''(xxxvi) Any section of chapter 105, relating to sabotage, except for section 2152.

''(xxxvii) Any section of chapter 109A, relating to sexual abuse.

''(xxxviii) Section 2250, relating to failure to register as a sex offender.

''(xxxix) Section 2251, relating to the sexual exploitation of children.

''(xl) Section 2251A, relating to the selling or buying of children.

''(xli) Section 2252, relating to certain activities relating to material involving the sexual exploitation of minors.

''(xlii) Section 2252A, relating to certain activities involving material constituting or containing child pornography.

''(xliii) Section 2260, relating to the production of sexually explicit depictions of a minor for importation into the United States.

''(xliv) Section 2283, relating to the transportation of explosive, biological, chemical, or radioactive or nuclear materials.

''(xlv) Section 2284, relating to the transportation of terrorists.

''(xlvi) Section 2291, relating to the destruction of a vessel or maritime facility, but only if the conduct that led to the conviction involved a substantial risk of death or serious bodily injury.

''(xlvii) Any section of chapter 113B, relating to terrorism.

''(xlviii) Section 2340A, relating to torture.

''(xlix) Section 2381, relating to treason.

''(l) Section 2442, relating to the recruitment or use of child soldiers.

''(li) An offense described in section 3559(c)(2)(F), for which the offender was sentenced to a term of imprisonment of more than 1 year, if the offender has a previous conviction, for which the offender served a term of imprisonment of more than 1 year, for a Federal or State offense, by whatever designation and wherever committed, consisting of murder (as described in section 1111), voluntary manslaughter (as described in section 1112), assault with intent to commit murder (as described in section 113(a)), aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242), abusive sexual contact (as described in sections 2244(a)(1) and (a)(2)), kidnapping (as described in chapter 55), carjacking (as described in section 2119), arson (as described in section 844(f)(3), (h), or (i)), or terrorism (as described in chapter 113B).

''(lii) Section 57(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)), relating to the engagement or participation in the development or production of special nuclear material.

''(liii) Section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122), relating to prohibitions governing atomic weapons.

''(liv) Section 101 of the Atomic Energy Act of 1954 (42 U.S.C. 2131), relating to the atomic energy license requirement.

''(lv) Section 224 or 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275), relating to the communication or receipt of restricted data.

''(lvi) Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), relating to the sabotage of nuclear facilities or fuel.

''(lvii) Section 60123(b) of title 49, relating to damaging or destroying a pipeline facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

''(lviii) Section 401(a) of the Controlled Substances Act (21 U.S.C. 841), relating to manufacturing or distributing a controlled substance in the case of a conviction for an offense described in subparagraph (A), (B), or (C) of subsection (b)(1) of that section for which death or serious bodily injury resulted from the use of such substance.

''(lix) Section 276(a) of the Immigration and Nationality Act (8 U.S.C. 1326), relating to the reentry of a removed alien, but only if the alien is described in paragraph (1) or (2) of subsection (b) of that section.

''(lx) Section 277 of the Immigration and Nationality Act (8 U.S.C. 1327), relating to aiding or assisting certain aliens to enter the United States.

''(lxi) Section 278 of the Immigration and Nationality Act (8 U.S.C. 1328), relating to the importation of an alien into the United States for an immoral purpose.

''(lxii) Any section of the Export Administration Act of 1979 (50 U.S.C. 4611 et seq.)

''(lxiii) Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705).

''(lxiv) Section 601 of the National Security Act of 1947 (50 U.S.C. 3121), relating to the protection of identities of certain United States undercover intelligence officers, agents, informants, and sources.

''(lxv) Subparagraph (A)(i) or (B)(i) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1)(A) or (2)(A) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, dispense, or knowingly importing or exporting, a mixture or substance containing a detectable amount of heroin if the sentencing court finds that the offender was an organizer, leader, manager, or supervisor of others in the offense, as determined under the guidelines promulgated by the United States Sentencing Commission.

''(lxvi) Subparagraph (A)(vi) or (B)(vi) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1)(F) or (2)(F) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense, a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, or any analogue thereof.

''(lxvii) Subparagraph (A)(viii) or (B)(viii) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1)(H) or (2)(H) of section 1010(b) the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense, or knowingly importing or exporting, a mixture of substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, if the sentencing court finds that the offender was an organizer, leader, manager, or supervisor of others in the offense, as determined under the guidelines promulgated by the United States Sentencing Commission.

''(lxviii) Subparagraph (A) or (B) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1) or (2) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense, a controlled substance, or knowingly importing or exporting a controlled substance, if the sentencing court finds that—

''(I) the offense involved a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, or any analogue thereof; and

''(II) the offender was an organizer, leader, manager, or supervisor of others in the offense, as determined under the guidelines promulgated by the United States Sentencing Commission.

''(E) DEPORTABLE PRISONERS INELIGIBLE TO APPLY TIME CREDITS.—

''(i) IN GENERAL.—A prisoner is ineligible to apply time credits under subparagraph (C) if the prisoner is the subject of a final order of removal under any provision of the immigration laws (as such term is defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

''(ii) PROCEEDINGS.—The Attorney General, in consultation with the Secretary of Homeland Security, shall ensure that any alien described in section 212 or 237 of the Immigration and Nationality Act (8 U.S.C. 1182, 1227) who seeks to earn time credits are subject to proceedings described in section 238(a) of that Act (8 U.S.C. 1228(a)) at a date as early as practicable during the prisoner's incarceration.

''(5) RISK REASSESSMENTS AND LEVEL ADJUSTMENT.—A prisoner who successfully participates in evidence-based recidivism reduction programming or productive activities shall receive periodic risk reassessments not less often than annually, and a prisoner determined to be at a medium or high risk of recidivating and who has less than 5 years until his or her projected release date shall receive more frequent risk reassessments. If the reassessment shows that the prisoner's risk of recidivating or specific needs have changed, the Bureau of Prisons shall update the determination of the prisoner's risk of recidivating or information regarding the prisoner's specific needs and reassign the prisoner to appropriate evidence-based recidivism reduction programming or productive activities based on such changes.

''(6) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection shall be in addition to any other rewards or incentives for which a prisoner may be eligible.

''(e) PENALTIES.—The Director of the Bureau of Prisons shall develop guidelines for the reduction of rewards and incentives earned under subsection (d) for prisoners who violate prison rules or evidence-based recidivism reduction program or productive activity rules, which shall provide—

''(1) general levels of violations and resulting reductions;

''(2) that any reduction that includes the loss of time credits shall require written notice to the prisoner, shall be limited to time credits that a prisoner earned as of the date of the prisoner's rule violation, and shall not include any future time credits that the prisoner may earn; and

''(3) for a procedure to restore time credits that a prisoner lost as a result of a rule violation, based on the prisoner's individual progress after the date of the rule violation.

''(f) BUREAU OF PRISONS TRAINING.—The Attorney General shall develop and implement training programs for Bureau of Prisons officers and employees responsible for administering the System, which shall include—

''(1) initial training to educate officers and employees on how to use the System in an appropriate and consistent manner, as well as the reasons for using the System;

''(2) continuing education;

''(3) periodic training updates; and

''(4) a requirement that such officers and employees demonstrate competence in administering the System, including interrater reliability, on a biannual basis.

''(g) QUALITY ASSURANCE.—In order to ensure that the Bureau of Prisons is using the System in an appropriate and consistent manner, the Attorney General shall monitor and assess the use of the System, which shall include conducting annual audits of the Bureau of Prisons regarding the use of the System.

''(h) DYSLEXIA SCREENING.—

''(1) SCREENING.—The Attorney General shall incorporate a dyslexia screening program into the System, including by screening for dyslexia during—

''(A) the intake process; and

''(B) each periodic risk reassessment of a prisoner.

''(2) TREATMENT.—The Attorney General shall incorporate programs designed to treat dyslexia into the evidence-based recidivism reduction programs or productive activities required to be implemented under this section. The Attorney General may also incorporate programs designed to treat other learning disabilities.

''§ 3633. Evidence-based recidivism reduction program and recommendations

''(a) IN GENERAL.—Prior to releasing the System, in consultation with the Independent Review Committee authorized by the First Step Act of 2018, the Attorney General shall—

''(1) review the effectiveness of evidence-based recidivism reduction programs that exist as of the date of enactment of this subchapter in prisons operated by the Bureau of Prisons;

''(2) review available information regarding the effectiveness of evidence-based recidivism reduction programs and productive activities that exist in State-operated prisons throughout the United States;

''(3) identify the most effective evidence-based recidivism reduction programs;

''(4) review the policies for entering into evidence-based recidivism reduction partnerships described in section 3621(h)(5); and

''(5) direct the Bureau of Prisons regarding—

''(A) evidence-based recidivism reduction programs;

''(B) the ability for faith-based organizations to function as a provider of educational evidence-based programs outside of the religious classes and services provided through the Chaplaincy; and

''(C) the addition of any new effective evidence-based recidivism reduction programs that the Attorney General finds.

''(b) REVIEW AND RECOMMENDATIONS REGARDING DYSLEXIA MITIGATION.—In carrying out subsection (a), the Attorney General shall consider the prevalence and mitigation of dyslexia in prisons, including by—

''(1) reviewing statistics on the prevalence of dyslexia, and the effectiveness of any programs implemented to mitigate the effects of dyslexia, in prisons operated by the Bureau of Prisons and State-operated prisons throughout the United States; and

''(2) incorporating the findings of the Attorney General under paragraph (1) of this subsection into any directives given to the Bureau of Prisons under paragraph (5) of subsection (a).

''§ 3634. Report

''Beginning on the date that is 2 years after the date of enactment of this subchapter, and annually thereafter for a period of 5 years, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives and the Subcommittees on Commerce, Justice, Science, and Related Agencies of the Committees on Appropriations of the Senate and the House of Representatives that contains the following:

''(1) A summary of the activities and accomplishments of the Attorney General in carrying out this Act.

''(2) A summary and assessment of the types and effectiveness of the evidence-based recidivism reduction programs and productive activities in prisons operated by the Bureau of Prisons, including—

''(A) evidence about which programs have been shown to reduce recidivism;

''(B) the capacity of each program and activity at each prison, including the number of prisoners along with the recidivism risk of each prisoner enrolled in each program; and

''(C) identification of any gaps or shortages in capacity of such programs and activities.

''(3) Rates of recidivism among individuals who have been released from Federal prison, based on the following criteria:

''(A) The primary offense of conviction.

''(B) The length of the sentence imposed and served.

''(C) The Bureau of Prisons facility or facilities in which the prisoner's sentence was served.

''(D) The evidence-based recidivism reduction programming that the prisoner successfully completed, if any.

''(E) The prisoner's assessed and reassessed risk of recidivism.

''(F) The productive activities that the prisoner successfully completed, if any.

''(4) The status of prison work programs at facilities operated by the Bureau of Prisons, including—

''(A) a strategy to expand the availability of such programs without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons, including the feasibility of prisoners manufacturing products purchased by Federal agencies that are manufactured overseas;

''(B) an assessment of the feasibility of expanding such programs, consistent with the strategy required under subparagraph (A), with the goal that 5 years after the date of enactment of this subchapter, not less than 75 percent of eligible minimum- and low-risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

''(C) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals described in subparagraphs (A) and (B).

''(5) An assessment of the Bureau of Prisons' compliance with section 3621(h).

''(6) An assessment of progress made toward carrying out the purposes of this subchapter, including any savings associated with—

''(A) the transfer of prisoners into prerelease custody or supervised release under section 3624(g), including savings resulting from the avoidance or deferral of future construction, acquisition, and operations costs; and

''(B) any decrease in recidivism that may be attributed to the System or the increase in evidence-based recidivism reduction programs required under this subchapter.

''(7) An assessment of budgetary savings resulting from this subchapter, including—

''(A) a summary of the amount of savings resulting from the transfer of prisoners into prerelease custody under this chapter, including savings resulting from the avoidance or deferral of future construction, acquisition, or operations costs;

''(B) a summary of the amount of savings resulting from any decrease in recidivism that may be attributed to the implementation of the risk and needs assessment system or the increase in recidivism reduction programs and productive activities required by this subchapter;

''(C) a strategy to reinvest the savings described in subparagraphs (A) and (B) in other—

''(i) Federal, State, and local law enforcement activities; and

''(ii) expansions of recidivism reduction programs and productive activities in the Bureau of Prisons; and

''(D) a description of how the reduced expenditures on Federal corrections and the budgetary savings resulting from this subchapter are currently being used and will be used to—

''(i) increase investment in law enforcement and crime prevention to combat gangs of national significance and high-level drug traffickers through the High Intensity Drug Trafficking Areas Program and other task forces;

''(ii) hire, train, and equip law enforcement officers and prosecutors; and

''(iii) promote crime reduction programs using evidence-based practices and strategic planning to help reduce crime and criminal recidivism.

''(8) Statistics on—

''(A) the prevalence of dyslexia among prisoners in prisons operated by the Bureau of Prisons; and

''(B) any change in the effectiveness of dyslexia mitigation programs among such prisoners that may be attributed to the incorporation of dyslexia screening into the System and of dyslexia treatment into the evidence-based recidivism reduction programs, as required under this chapter.

''§ 3635. Definitions

''In this subchapter the following definitions apply:

''(1) DYSLEXIA.—The term 'dyslexia' means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell.

''(2) DYSLEXIA SCREENING PROGRAM.—The term 'dyslexia screening program' means a screening program for dyslexia that is—

''(A) evidence-based (as defined in section 8101(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21))) with proven psychometrics for validity;

''(B) efficient and low-cost; and

''(C) readily available.

''(3) EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.—The term 'evidence-based recidivism reduction program' means either a group or individual activity that—

''(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

''(B) is designed to help prisoners succeed in their communities upon release from prison; and

''(C) may include—

''(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

''(ii) family relationship building, structured parent-child interaction, and parenting skills;

''(iii) classes on morals or ethics;

''(iv) academic classes;

''(v) cognitive behavioral treatment;

''(vi) mentoring;

''(vii) substance abuse treatment;

''(viii) vocational training;

''(ix) faith-based classes or services;

''(x) civic engagement and reintegrative community services;

''(xi) a prison job, including through a prison work program;

''(xii) victim impact classes or other restorative justice programs; and

''(xiii) trauma counseling and trauma-informed support programs.

''(4) PRISONER.—The term 'prisoner' means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

''(5) PRODUCTIVE ACTIVITY.—The term 'productive activity' means either a group or individual activity that is designed to allow prisoners determined as having a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1) to other prisoners.

''(6) RISK AND NEEDS ASSESSMENT TOOL.—The term 'risk and needs assessment tool' means an objective and statistically validated method through which information is collected and evaluated to determine—

''(A) as part of the intake process, the risk that a prisoner will recidivate upon release from prison;

''(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison; and

''(C) the periodic reassessment of risk that a prisoner will recidivate upon release from prison, based on factors including indicators of progress and of regression, that are dynamic and that can reasonably be expected to change while in prison.''.

(b) CLERICAL AMENDMENT.—The table of subchapters for chapter 229 of title 18, United States Code, is amended by adding at the end the following:

''D. Risk and Needs Assessment ..... 3631''.

SEC. 102. IMPLEMENTATION OF SYSTEM AND RECOMMENDATIONS BY BUREAU OF PRISONS.

(a) IMPLEMENTATION OF SYSTEM GENERALLY.—Section 3621 of title 18, United States Code, is amended by adding at the end the following:

''(h) IMPLEMENTATION OF RISK AND NEEDS ASSESSMENT SYSTEM.—

''(1) IN GENERAL.—Not later than 180 days after the Attorney General completes and releases the risk and needs assessment system (referred to in this subsection as the 'System') developed under subchapter D, the Director of the Bureau of Prisons shall, in accordance with that subchapter—

''(A) implement and complete the initial intake risk and needs assessment for each prisoner (including for each prisoner who was a prisoner prior to the effective date of this subsection), regardless of the prisoner's length of imposed term of imprisonment, and begin to assign prisoners to appropriate evidence-based recidivism reduction programs based on that determination;

''(B) begin to expand the effective evidence-based recidivism reduction programs and productive activities it offers and add any new evidence-based recidivism reduction programs and productive activities necessary to effectively implement the System; and

''(C) begin to implement the other risk and needs assessment tools necessary to effectively implement the System over time, while prisoners are participating in and completing the effective evidence-based recidivism reduction programs and productive activities.

''(2) PHASE-IN.—In order to carry out paragraph (1), so that every prisoner has the opportunity to participate in and complete the type and amount of evidence-based recidivism reduction programs or productive activities they need, and be reassessed for recidivism risk as necessary to effectively implement the System, the Bureau of Prisons shall—

''(A) provide such evidence-based recidivism reduction programs and productive activities for all prisoners before the date that is 2 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (1)(A); and

''(B) develop and validate the risk and needs assessment tool to be used in the reassessments of risk of recidivism, while prisoners are participating in and completing evidence-based recidivism reduction programs and productive activities.

''(3) PRIORITY DURING PHASE-IN.—During the 2-year period described in paragraph (2)(A), the priority for such programs and activities shall be accorded based on a prisoner's proximity to release date.

''(4) PRELIMINARY EXPANSION OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS AND AUTHORITY TO USE INCENTIVES.—Beginning on the date of enactment of this subsection, the Bureau of Prisons may begin to expand any evidence-based recidivism reduction programs and productive activities that exist at a prison as of such date, and may offer to prisoners who successfully participate in such programs and activities the incentives and rewards described in subchapter D.

''(5) RECIDIVISM REDUCTION PARTNERSHIPS.—In order to expand evidence-based recidivism reduction programs and productive activities, the Attorney General shall develop policies for the warden of each prison of the Bureau of Prisons to enter into partnerships, subject to the availability of appropriations, with any of the following:

''(A) Nonprofit and other private organizations, including faith-based, art, and community-based organizations that will deliver recidivism reduction programming on a paid or volunteer basis.

''(B) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that will deliver instruction on a paid or volunteer basis.

''(C) Private entities that will—

''(i) deliver vocational training and certifications;

''(ii) provide equipment to facilitate vocational training or employment opportunities for prisoners;

''(iii) employ prisoners; or

''(iv) assist prisoners in prerelease custody or supervised release in finding employment.

''(D) Industry-sponsored organizations that will deliver workforce development and training, on a paid or volunteer basis.

''(6) REQUIREMENT TO PROVIDE PROGRAMS TO ALL PRISONERS; PRIORITY.—The Director of the Bureau of Prisons shall provide all prisoners with the opportunity to actively participate in evidence-based recidivism reduction programs or productive activities, according to their specific criminogenic needs, throughout their entire term of incarceration. Priority for participation in recidivism reduction programs shall be given to medium-risk and high-risk prisoners, with access to productive activities given to minimum-risk and low-risk prisoners.

''(7) DEFINITIONS.—The terms in this subsection have the meaning given those terms in section 3635.''.

(b) PRERELEASE CUSTODY.—

(1) IN GENERAL.—Section 3624 of title 18, United States Code, is amended—

(A) in subsection (b)(1)—

(i) by striking '', beyond the time served, of up to 54 days at the end of each year of the prisoner's term of imprisonment, beginning at the end of the first year of the term,'' and inserting ''of up to 54 days for each year of the prisoner's sentence imposed by the court,''; and

(ii) by striking ''credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence'' and inserting ''credit for the last year of a term of imprisonment shall be credited on the first day of the last year of the term of imprisonment''; and

(B) by adding at the end the following:

''(g) PRERELEASE CUSTODY OR SUPERVISED RELEASE FOR RISK AND NEEDS ASSESSMENT SYSTEM PARTICIPANTS.—

''(1) ELIGIBLE PRISONERS.—This subsection applies in the case of a prisoner (as such term is defined in section 3635) who—

''(A) has earned time credits under the risk and needs assessment system developed under subchapter D (referred to in this subsection as the 'System') in an amount that is equal to the remainder of the prisoner's imposed term of imprisonment;

''(B) has shown through the periodic risk reassessments a demonstrated recidivism risk reduction or has maintained a minimum or low recidivism risk, during the prisoner's term of imprisonment;

''(C) has had the remainder of the prisoner's imposed term of imprisonment computed under applicable law; and

''(D)(i) in the case of a prisoner being placed in prerelease custody, the prisoner—

''(I) has been determined under the System to be a minimum or low risk to recidivate pursuant to the last 2 reassessments of the prisoner; or

''(II) has had a petition to be transferred to prerelease custody or supervised release approved by the warden of the prison, after the warden's determination that—

''(aa) the prisoner would not be a danger to society if transferred to prerelease custody or supervised release;

''(bb) the prisoner has made a good faith effort to lower their recidivism risk through participation in recidivism reduction programs or productive activities; and

''(cc) the prisoner is unlikely to recidivate; or

''(ii) in the case of a prisoner being placed in supervised release, the prisoner has been determined under the System to be a minimum or low risk to recidivate pursuant to the last reassessment of the prisoner.

''(2) TYPES OF PRERELEASE CUSTODY.—A prisoner shall be placed in prerelease custody as follows:

''(A) HOME CONFINEMENT.—

''(i) IN GENERAL.—A prisoner placed in prerelease custody pursuant to this subsection who is placed in home confinement shall—

''(I) be subject to 24-hour electronic monitoring that enables the prompt identification of the prisoner, location, and time, in the case of any violation of subclause (II);

''(II) remain in the prisoner's residence, except that the prisoner may leave the prisoner's home in order to, subject to the approval of the Director of the Bureau of Prisons—

''(aa) perform a job or job-related activities, including an apprenticeship, or participate in job-seeking activities;

''(bb) participate in evidence-based recidivism reduction programming or productive activities assigned by the System, or similar activities;

''(cc) perform community service;

''(dd) participate in crime victim restoration activities;

''(ee) receive medical treatment;

''(ff) attend religious activities; or

''(gg) participate in other family-related activities that facilitate the prisoner's successful reentry such as a family funeral, a family wedding, or to visit a family member who is seriously ill; and

''(III) comply with such other conditions as the Director determines appropriate.

''(ii) ALTERNATE MEANS OF MONITORING.—If the electronic monitoring of a prisoner described in clause (i)(I) is infeasible for technical or religious reasons, the Director of the Bureau of Prisons may use alternative means of monitoring a prisoner placed in home confinement that the Director determines are as effective or more effective than the electronic monitoring described in clause (i)(I).

''(iii) MODIFICATIONS.—The Director of the Bureau of Prisons may modify the conditions described in clause (i) if the Director determines

that a compelling reason exists to do so, and that the prisoner has demonstrated exemplary compliance with such conditions.

''(iv) DURATION.—Except as provided in paragraph (4), a prisoner who is placed in home confinement shall remain in home confinement until the prisoner has served not less than 85 percent of the prisoner's imposed term of imprisonment.

''(B) RESIDENTIAL REENTRY CENTER.—A prisoner placed in prerelease custody pursuant to this subsection who is placed at a residential reentry center shall be subject to such conditions as the Director of the Bureau of Prisons determines appropriate.

''(3) SUPERVISED RELEASE.—If the sentencing court included as a part of the prisoner's sentence a requirement that the prisoner be placed on a term of supervised release after imprisonment pursuant to section 3583, the Director of the Bureau of Prisons may transfer the prisoner to begin any such term of supervised release at an earlier date, not to exceed 12 months, based on the application of time credits under section 3632.

''(4) DETERMINATION OF CONDITIONS.—In determining appropriate conditions for prisoners placed in prerelease custody pursuant to this subsection, the Director of the Bureau of Prisons shall, to the extent practicable, provide that increasingly less restrictive conditions shall be imposed on prisoners who demonstrate continued compliance with the conditions of such prerelease custody, so as to most effectively prepare such prisoners for reentry.

''(5) VIOLATIONS OF CONDITIONS.—If a prisoner violates a condition of the prisoner's prerelease custody, the Director of the Bureau of Prisons may impose such additional conditions on the prisoner's prerelease custody as the Director of the Bureau of Prisons determines appropriate, or revoke the prisoner's prerelease custody and require the prisoner to serve the remainder of the term of imprisonment to which the prisoner was sentenced, or any portion thereof, in prison. If the violation is nontechnical in nature, the Director of the Bureau of Prisons shall revoke the prisoner's prerelease custody.

''(6) ISSUANCE OF GUIDELINES.—The Attorney General, in consultation with the Assistant Director for the Office of Probation and Pretrial Services, shall issue guidelines for use by the Bureau of Prisons in determining—

''(A) the appropriate type of prerelease custody or supervised release and level of supervision for a prisoner placed on prerelease custody pursuant to this subsection; and

''(B) consequences for a violation of a condition of such prerelease custody by such a prisoner, including a return to prison and a reassessment of evidence-based recidivism risk level under the System.

''(7) AGREEMENTS WITH UNITED STATES PROBATION AND PRETRIAL SERVICES.—The Director of the Bureau of Prisons shall, to the greatest extent practicable, enter into agreements with United States Probation and Pretrial Services to supervise prisoners placed in home confinement under this subsection. Such agreements shall—

''(A) authorize United States Probation and Pretrial Services to exercise the authority granted to the Director pursuant to paragraphs (3) and (4); and

''(B) take into account the resource requirements of United States Probation and Pretrial Services as a result of the transfer of Bureau of Prisons prisoners to prerelease custody or supervised release.

''(8) ASSISTANCE.—United States Probation and Pretrial Services shall, to the greatest extent practicable, offer assistance to any prisoner not under its supervision during prerelease custody under this subsection.

''(9) MENTORING, REENTRY, AND SPIRITUAL SERVICES.—Any prerelease custody into which a prisoner is placed under this subsection may not include a condition prohibiting the prisoner from receiving mentoring, reentry, or spiritual services from a person who provided such services to the prisoner while the prisoner was incarcerated, except that the warden of the facility at which the prisoner was incarcerated may waive the requirement under this paragraph if the warden finds that the provision of such services would pose a significant security risk to the prisoner, persons who provide such services, or any other person. The warden shall provide written notice of any such waiver to the person providing such services and to the prisoner.

''(10) TIME LIMITS INAPPLICABLE.—The time limits under subsections (b) and (c) shall not apply to prerelease custody under this subsection.

''(11) PRERELEASE CUSTODY CAPACITY.—The Director of the Bureau of Prisons shall ensure there is sufficient prerelease custody capacity to accommodate all eligible prisoners.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect beginning on the date that the Attorney General completes and releases the risk and needs assessment system under subchapter D of chapter 229 of title 18, United States Code, as added by section 101(a) of this Act.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to offenses committed before, on, or after the date of enactment of this Act, except that such amendments shall not apply with respect to offenses committed before November 1, 1987.

SEC. 103. GAO REPORT.

Not later than 2 years after the Director of the Bureau of Prisons implements the risk and needs assessment system under section 3621 of title 18, United States Code, and every 2 years thereafter, the Comptroller General of the United States shall conduct an audit of the use of the risk and needs assessment system at Bureau of Prisons facilities. The audit shall include analysis of the following:

(1) Whether inmates are being assessed under the risk and needs assessment system with the frequency required under such section 3621 of title 18, United States Code.

(2) Whether the Bureau of Prisons is able to offer recidivism reduction programs and productive activities (as such terms are defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act).

(3) Whether the Bureau of Prisons is offering the type, amount, and intensity of recidivism reduction programs and productive activities for prisoners to earn the maximum amount of time credits for which they are eligible.

(4) Whether the Attorney General is carrying out the duties under section 3631(b) of title 18, United States Code, as added by section 101(a) of this Act.

(5) Whether officers and employees of the Bureau of Prisons are receiving the training described in section 3632(f) of title 18, United States Code, as added by section 101(a) of this Act.

(6) Whether the Bureau of Prisons offers work assignments to all prisoners who might benefit from such an assignment.

(7) Whether the Bureau of Prisons transfers prisoners to prerelease custody or supervised release as soon as they are eligible for such a transfer under section 3624(g) of title 18, United States Code, as added by section 102(b) of this Act.

(8) The rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $75,000,000 for each of fiscal years 2019 through 2023. Of the amount appropriated under this subsection, 80 percent shall be reserved for use by the Director of the Bureau of Prisons to implement the system under section 3621(h) of title 18, United States Code, as added by section 102(a) of this Act.

(b) SAVINGS.—It is the sense of Congress that any savings associated with reductions in recidivism that result from this title should be reinvested—

(1) to supplement funding for programs that increase public safety by providing resources to State and local law enforcement officials, including for the adoption of innovative technologies and information sharing capabilities;

(2) into evidence-based recidivism reduction programs offered by the Bureau of Prisons; and

(3) into ensuring eligible prisoners have access to such programs and productive activities offered by the Bureau of Prisons.

SEC. 105. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, may be construed to provide authority to place a prisoner in prerelease custody or supervised release who is serving a term of imprisonment pursuant to a conviction for an offense under the laws of one of the 50 States, or of a territory or possession of the United States or to amend or affect the enforcement of the immigration laws, as defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. 106. FAITH-BASED CONSIDERATIONS.

(a) IN GENERAL.—In considering any program, treatment, regimen, group, company, charity, person, or entity of any kind under any provision of this Act, or the amendments made by this Act, the fact that it may be or is faith-based may not be a basis for any discrimination against it in any manner or for any purpose.

(b) ELIGIBILITY FOR EARNED TIME CREDIT.—Participation in a faith-based program, treatment, or regimen may qualify a prisoner for earned time credit under subchapter D of chapter 229 of title 18, United States Code, as added by section 101(a) of this Act, however, the Director of the Bureau of Prisons shall ensure that non-faith-based programs that qualify for earned time credit are offered at each Bureau of Prisons facility in addition to any such faith-based programs.

(c) LIMITATION ON ACTIVITIES.—A group, company, charity, person, or entity may not engage in explicitly religious activities using direct financial assistance made available under this title or the amendments made by this title.

(d) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to amend any requirement under Federal law or the Constitution of the United States regarding funding for faith-based programs or activities.

SEC. 107. INDEPENDENT REVIEW COMMITTEE.

(a) IN GENERAL.—The Attorney General shall consult with an Independent Review Committee in carrying out the Attorney General's duties under sections 3631(b), 3632 and 3633 of title 18, United States Code, as added by section 101(a) of this Act.

(b) FORMATION OF INDEPENDENT REVIEW COMMITTEE.—The National Institute of Justice shall select a nonpartisan and nonprofit organization with expertise in the study and development of risk and needs assessment tools to host the Independent Review Committee. The Independent Review Committee shall be established not later than 30 days after the date of enactment of this Act.

(c) APPOINTMENT OF INDEPENDENT REVIEW COMMITTEE.—The organization selected by the National Institute of Justice shall appoint not fewer than 6 members to the Independent Review Committee.

(d) COMPOSITION OF THE INDEPENDENT REVIEW COMMITTEE.—The members of the Independent Review Committee shall all have expertise in risk and needs assessment systems and shall include—

(1) 2 individuals who have published peer-reviewed scholarship about risk and needs assessments in both corrections and community settings;

(2) 2 corrections practitioners who have developed and implemented a risk assessment tool in a corrections system or in a community supervision setting, including 1 with prior experience working within the Bureau of Prisons; and

(3) 1 individual with expertise in assessing risk assessment implementation.

(e) DUTIES OF THE INDEPENDENT REVIEW COMMITTEE.—The Independent Review Committee shall assist the Attorney General in carrying out the Attorney General's duties under sections 3631(b), 3632 and 3633 of title 18, United States Code, as added by section 101(a) of this Act, including by assisting in—

(1) conducting a review of the existing prisoner risk and needs assessment systems in operation on the date of enactment of this Act;

(2) developing recommendations regarding evidence-based recidivism reduction programs and productive activities;

(3) conducting research and data analysis on—

(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

(B) the most effective and efficient uses of such programs; and

(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

(4) reviewing and validating the risk and needs assessment system.

(f) BUREAU OF PRISONS COOPERATION.—The Director of the Bureau of Prisons shall assist the Independent Review Committee in performing the Committee's duties and promptly respond to requests from the Committee for access to Bureau of Prisons facilities, personnel, and information.

(g) REPORT.—Not later than 2 years after the date of enactment of this Act, the Independent Review Committee shall submit to the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the House of Representatives a report that includes—

(1) a list of all offenses of conviction for which prisoners were ineligible to receive time credits under section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, and for each offense the number of prisoners excluded, including demographic percentages by age, race, and sex;

(2) the criminal history categories of prisoners ineligible to receive time credits under section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, and for each category the number of prisoners excluded, including demographic percentages by age, race, and sex;

(3) the number of prisoners ineligible to apply time credits under section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, who do not participate in recidivism reduction programming or productive activities, including the demographic percentages by age, race, and sex;

(4) any recommendations for modifications to section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, and any other recommendations regarding recidivism reduction.

(h) TERMINATION.—The Independent Review Committee shall terminate on the date that is 2 years after the date on which the risk and needs assessment system authorized by sections 3632 and 3633 of title 18, United States Code, as added by section 101(a) of this Act, is released.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

SEC. 201. SHORT TITLE.

This title may be cited as the ''Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2018''.

SEC. 202. SECURE FIREARMS STORAGE.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''§ 4050. Secure firearms storage

''(a) DEFINITIONS.—In this section—

''(1) the term 'employee' means a qualified law enforcement officer employed by the Bureau of Prisons; and

''(2) the terms 'firearm' and 'qualified law enforcement officer' have the meanings given those terms under section 926B.

''(b) SECURE FIREARMS STORAGE.—The Director of the Bureau of Prisons shall ensure that each chief executive officer of a Federal penal or correctional institution—

''(1)(A) provides a secure storage area located outside of the secure perimeter of the institution for employees to store firearms; or

''(B) allows employees to store firearms in a vehicle lockbox approved by the Director of the Bureau of Prisons; and

''(2) notwithstanding any other provision of law, allows employees to carry concealed firearms on the premises outside of the secure perimeter of the institution.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''4050. Secure firearms storage.''.

TITLE III—RESTRAINTS ON PREGNANT PRISONERS PROHIBITED

SEC. 301. USE OF RESTRAINTS ON PRISONERS DURING THE PERIOD OF PREGNANCY AND POSTPARTUM RECOVERY PROHIBITED.

(a) IN GENERAL.—Chapter 317 of title 18, United States Code, is amended by inserting after section 4321 the following:

''§ 4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited

''(a) PROHIBITION.—Except as provided in subsection (b), beginning on the date on which pregnancy is confirmed by a healthcare professional, and ending at the conclusion of postpartum recovery, a prisoner in the custody of the Bureau of Prisons, or in the custody of the United States Marshals Service pursuant to section 4086, shall not be placed in restraints.

''(b) EXCEPTIONS.—

''(1) IN GENERAL.—The prohibition under subsection (a) shall not apply if—

''(A) an appropriate corrections official, or a United States marshal, as applicable, makes a determination that the prisoner—

''(i) is an immediate and credible flight risk that cannot reasonably be prevented by other means; or

''(ii) poses an immediate and serious threat of harm to herself or others that cannot reasonably be prevented by other means; or

''(B) a healthcare professional responsible for the health and safety of the prisoner determines that the use of restraints is appropriate for the medical safety of the prisoner.

''(2) LEAST RESTRICTIVE RESTRAINTS.—In the case that restraints are used pursuant to an exception under paragraph (1), only the least restrictive restraints necessary to prevent the harm or risk of escape described in paragraph (1) may be used.

''(3) APPLICATION.—

''(A) IN GENERAL.—The exceptions under paragraph (1) may not be applied—

''(i) to place restraints around the ankles, legs, or waist of a prisoner;

''(ii) to restrain a prisoner's hands behind her back;

''(iii) to restrain a prisoner using 4-point restraints; or

''(iv) to attach a prisoner to another prisoner.

''(B) MEDICAL REQUEST.—Notwithstanding paragraph (1), upon the request of a healthcare professional who is responsible for the health and safety of a prisoner, a corrections official or United States marshal, as applicable, shall refrain from using restraints on the prisoner or shall remove restraints used on the prisoner.

''(c) REPORTS.—

''(1) REPORT TO THE DIRECTOR AND HEALTHCARE PROFESSIONAL.—If a corrections official or United States marshal uses restraints on a prisoner under subsection (b)(1), that official or marshal shall submit, not later than 30 days after placing the prisoner in restraints, to the Director of the Bureau of Prisons or the Director of the United States Marshals Service, as applicable, and to the healthcare professional responsible for the health and safety of the prisoner, a written report that describes the facts and circumstances surrounding the use of restraints, and includes—

''(A) the reasoning upon which the determination to use restraints was made;

''(B) the details of the use of restraints, including the type of restraints used and length of time during which restraints were used; and

''(C) any resulting physical effects on the prisoner observed by or known to the corrections official or United States marshal, as applicable.

''(2) SUPPLEMENTAL REPORT TO THE DIRECTOR.—Upon receipt of a report under paragraph (1), the healthcare professional responsible for the health and safety of the prisoner may submit to the Director such information as the healthcare professional determines is relevant to the use of restraints on the prisoner.

''(3) REPORT TO JUDICIARY COMMITTEES.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each submit to the Judiciary Committee of the Senate and of the House of Representatives a report that certifies compliance with this section and includes the information required to be reported under paragraph (1).

''(B) PERSONALLY IDENTIFIABLE INFORMATION.—The report under this paragraph shall not contain any personally identifiable information of any prisoner.

''(d) NOTICE.—Not later than 48 hours after the confirmation of a prisoner's pregnancy by a healthcare professional, that prisoner shall be notified by an appropriate healthcare professional, corrections official, or United States marshal, as applicable, of the restrictions on the use of restraints under this section.

''(e) VIOLATION REPORTING PROCESS.—The Director of the Bureau of Prisons, in consultation with the Director of the United States Marshals Service, shall establish a process through which a prisoner may report a violation of this section.

''(f) TRAINING.—

''(1) IN GENERAL.—The Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each develop training guidelines regarding the use of restraints on female prisoners during the period of pregnancy, labor, and postpartum recovery, and shall incorporate such guidelines into appropriate training programs. Such training guidelines shall include—

''(A) how to identify certain symptoms of pregnancy that require immediate referral to a healthcare professional;

''(B) circumstances under which the exceptions under subsection (b) would apply;

''(C) in the case that an exception under subsection (b) applies, how to apply restraints in a way that does not harm the prisoner, the fetus, or the neonate;

''(D) the information required to be reported under subsection (c); and

''(E) the right of a healthcare professional to request that restraints not be used, and the requirement under subsection (b)(3)(B) to comply with such a request.

''(2) DEVELOPMENT OF GUIDELINES.—In developing the guidelines required by paragraph (1), the Directors shall each consult with healthcare professionals with expertise in caring for women during the period of pregnancy and postpartum recovery.

''(g) DEFINITIONS.—For purposes of this section:

''(1) POSTPARTUM RECOVERY.—The term 'postpartum recovery' means the 12-week period, or longer as determined by the healthcare professional responsible for the health and safety of the prisoner, following delivery, and shall include the entire period that the prisoner is in the hospital or infirmary.

''(2) PRISONER.—The term 'prisoner' means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons, including a person in a Bureau of Prisons contracted facility.

''(3) RESTRAINTS.—The term 'restraints' means any physical or mechanical device used to control the movement of a prisoner's body, limbs, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 317 of title 18, United States Code, is amended by adding after the item relating to section 4321 the following:

''4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited.''.

TITLE IV—SENTENCING REFORM

SEC. 401. REDUCE AND RESTRICT ENHANCED SENTENCING FOR PRIOR DRUG FELONIES.

(a) CONTROLLED SUBSTANCES ACT AMENDMENTS.—The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(1) in section 102 (21 U.S.C. 802), by adding at the end the following:

''(57) The term 'serious drug felony' means an offense described in section 924(e)(2) of title 18, United States Code, for which—

''(A) the offender served a term of imprisonment of more than 12 months; and

''(B) the offender's release from any term of imprisonment was within 15 years of the commencement of the instant offense.

''(58) The term 'serious violent felony' means—

''(A) an offense described in section 3559(c)(2) of title 18, United States Code, for which the offender served a term of imprisonment of more than 12 months; and

''(B) any offense that would be a felony violation of section 113 of title 18, United States Code, if the offense were committed in the special maritime and territorial jurisdiction of the United States, for which the offender served a term of imprisonment of more than 12 months.''; and

(2) in section 401(b)(1) (21 U.S.C. 841(b)(1))—

(A) in subparagraph (A), in the matter following clause (viii)—

(i) by striking ''If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment which may not be less than 20 years'' and inserting the following: ''If any person commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final, such person shall be sentenced to a term of imprisonment of not less than 15 years''; and

(ii) by striking ''after two or more prior convictions for a felony drug offense have become final, such person shall be sentenced to a mandatory term of life imprisonment without release'' and inserting the following: ''after 2 or more prior convictions for a serious drug felony or serious violent felony have become final, such person shall be sentenced to a term of imprisonment of not less than 25 years''; and

(B) in subparagraph (B), in the matter following clause (viii), by striking ''If any person commits such a violation after a prior conviction for a felony drug offense has become final'' and inserting the following: ''If any person commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final''.

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT AMENDMENTS.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), in the matter following subparagraph (H), by striking ''If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment of not less than 20 years'' and inserting ''If any person commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final, such person shall be sentenced to a term of imprisonment of not less than 15 years''; and

(2) in paragraph (2), in the matter following subparagraph (H), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''.

(c) APPLICABILITY TO PENDING CASES.—This section, and the amendments made by this section, shall apply to any offense that was committed before the date of enactment of this Act, if a sentence for the offense has not been imposed as of such date of enactment.

SEC. 402. BROADENING OF EXISTING SAFETY VALVE.

(a) AMENDMENTS.—Section 3553 of title 18, United States Code, is amended—

(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) by adding at the end 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

(2) by adding at the end the following:

''(g) 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.''.

(b) APPLICABILITY.—The amendments made by this section shall apply only to a conviction entered on or after the date of enactment of this Act.

SEC. 403. CLARIFICATION OF SECTION 924(c) OF TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Section 924(c)(1)(C) of title 18, 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''.

(b) APPLICABILITY TO PENDING CASES.—This section, and the amendments made by this section, shall apply to any offense that was committed before the date of enactment of this Act, if a sentence for the offense has not been imposed as of such date of enactment.

SEC. 404. APPLICATION OF FAIR SENTENCING ACT.

(a) DEFINITION OF COVERED OFFENSE.—In this section, the term ''covered offense'' means a violation of a Federal criminal statute, the statutory penalties for which were modified by section 2 or 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372), that was committed before August 3, 2010.

(b) DEFENDANTS PREVIOUSLY SENTENCED.—A court that imposed a sentence for a covered offense may, on motion of the defendant, the Director of the Bureau of Prisons, the attorney for the Government, or the court, impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372) were in effect at the time the covered offense was committed.

(c) LIMITATIONS.—No court shall entertain a motion made under this section to reduce a sentence if the sentence was previously imposed or previously reduced in accordance with the amendments made by sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372) or if a previous motion made under this section to reduce the sentence was, after the date of enactment of this Act, denied after a complete review of the motion on the merits. Nothing in this section shall be construed to require a court to reduce any sentence pursuant to this section.

TITLE V—SECOND CHANCE ACT OF 2007 REAUTHORIZATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Second Chance Reauthorization Act of 2018''.

SEC. 502. IMPROVEMENTS TO EXISTING PROGRAMS.

(a) REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL DEMONSTRATION PROJECTS.—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GRANT AUTHORIZATION.—The Attorney General shall make grants to States, local governments, territories, or Indian tribes, or any combination thereof (in this section referred to as an 'eligible entity'), in partnership with interested persons (including Federal corrections and supervision agencies), service providers, and nonprofit organizations for the purpose of strategic planning and implementation of adult and juvenile offender reentry projects.'';

(2) in subsection (b)—

(A) in paragraph (3), by inserting ''or reentry courts,'' after ''community,'';

(B) in paragraph (6), by striking ''and'' at the end;

(C) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(8) promoting employment opportunities consistent with the Transitional Jobs strategy (as defined in section 4 of the Second Chance Act of 2007 (34 U.S.C. 60502)).''; and

(3) by striking subsections (d), (e), and (f) and inserting the following:

''(d) COMBINED GRANT APPLICATION; PRIORITY CONSIDERATION.—

''(1) IN GENERAL.—The Attorney General shall develop a procedure to allow applicants to submit a single application for a planning grant under subsection (e) and an implementation grant under subsection (f).

''(2) PRIORITY CONSIDERATION.—The Attorney General shall give priority consideration to grant applications under subsections (e) and (f) that include a commitment by the applicant to partner with a local evaluator to identify and analyze data that will—

''(A) enable the grantee to target the intended offender population; and

''(B) serve as a baseline for purposes of the evaluation.

''(e) PLANNING GRANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Attorney General may make a grant to an eligible entity of not more than $75,000 to develop a strategic, collaborative plan

for an adult or juvenile offender reentry demonstration project as described in subsection (h) that includes—

''(A) a budget and a budget justification;

''(B) a description of the outcome measures that will be used to measure the effectiveness of the program in promoting public safety and public health;

''(C) the activities proposed;

''(D) a schedule for completion of the activities described in subparagraph (C); and

''(E) a description of the personnel necessary to complete the activities described in subparagraph (C).

''(2) MAXIMUM TOTAL GRANTS AND GEOGRAPHIC DIVERSITY.—

''(A) MAXIMUM AMOUNT.—The Attorney General may not make initial planning grants and implementation grants to 1 eligible entity in a total amount that is more than a $1,000,000.

''(B) GEOGRAPHIC DIVERSITY.—The Attorney General shall make every effort to ensure equitable geographic distribution of grants under this section and take into consideration the needs of underserved populations, including rural and tribal communities.

''(3) PERIOD OF GRANT.—A planning grant made under this subsection shall be for a period of not longer than 1 year, beginning on the first day of the month in which the planning grant is made.

''(f) IMPLEMENTATION GRANTS.—

''(1) APPLICATIONS.—An eligible entity desiring an implementation grant under this subsection shall submit to the Attorney General an application that—

''(A) contains a reentry strategic plan as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to fund the program after Federal funding is discontinued;

''(B) identifies the local government role and the role of governmental agencies and nonprofit organizations that will be coordinated by, and that will collaborate on, the offender reentry strategy of the applicant, and certifies the involvement of such agencies and organizations;

''(C) describes the evidence-based methodology and outcome measures that will be used to evaluate the program funded with a grant under this subsection, and specifically explains how such measurements will provide valid measures of the impact of that program; and

''(D) describes how the project could be broadly replicated if demonstrated to be effective.

''(2) REQUIREMENTS.—The Attorney General may make a grant to an applicant under this subsection only if the application—

''(A) reflects explicit support of the chief executive officer, or their designee, of the State, unit of local government, territory, or Indian tribe applying for a grant under this subsection;

''(B) provides discussion of the role of Federal corrections, State corrections departments, community corrections agencies, juvenile justice systems, and tribal or local jail systems in ensuring successful reentry of offenders into their communities;

''(C) provides evidence of collaboration with State, local, or tribal government agencies overseeing health, housing, child welfare, education, substance abuse, victims services, and employment services, and with local law enforcement agencies;

''(D) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community;

''(E) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant;

''(F) provides a plan for continued collaboration with a local evaluator as necessary to meeting the requirements under subsection (h); and

''(G) demonstrates that the applicant participated in the planning grant process or engaged in comparable planning for the reentry project.

''(3) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority to grant applications under this subsection that best—

''(A) focus initiative on geographic areas with a disproportionate population of offenders released from prisons, jails, and juvenile facilities;

''(B) include—

''(i) input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;

''(ii) consultation with crime victims and offenders who are released from prisons, jails, and juvenile facilities;

''(iii) coordination with families of offenders;

''(iv) input, where appropriate, from the juvenile justice coordinating council of the region;

''(v) input, where appropriate, from the reentry coordinating council of the region; or

''(vi) input, where appropriate, from other interested persons;

''(C) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

''(i) planning for prerelease transitional housing and community release that begins upon admission for juveniles and jail inmates, and, as appropriate, for prison inmates, depending on the length of the sentence;

''(ii) establishing prerelease planning procedures to ensure that the eligibility of an offender for Federal, tribal, or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services, including assistance identifying and securing suitable housing; or

''(iii) delivery of continuous and appropriate mental health services, drug treatment, medical care, job training and placement, educational services, vocational services, and any other service or support needed for reentry;

''(D) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

''(E) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;

''(F) target moderate and high-risk offenders for reentry programs through validated assessment tools; or

''(G) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, and homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.

''(4) PERIOD OF GRANT.—A grant made under this subsection shall be effective for a 2-year period—

''(A) beginning on the date on which the planning grant awarded under subsection (e) concludes; or

''(B) in the case of an implementation grant awarded to an eligible entity that did not receive a planning grant, beginning on the date on which the implementation grant is awarded.'';

(4) in subsection (h)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

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

''(1) IN GENERAL.—As a condition of receiving financial assistance under subsection (f), each application shall develop a comprehensive reentry strategic plan that—

''(A) contains a plan to assess inmate reentry needs and measurable annual and 3-year performance outcomes;

''(B) uses, to the maximum extent possible, randomly assigned and controlled studies, or rigorous quasi-experimental studies with matched comparison groups, to determine the effectiveness of the program funded with a grant under subsection (f); and

''(C) includes as a goal of the plan to reduce the rate of recidivism for offenders released from prison, jail or a juvenile facility with funds made available under subsection (f).

''(2) LOCAL EVALUATOR.—A partnership with a local evaluator described in subsection (d)(2) shall require the local evaluator to use the baseline data and target population characteristics developed under a subsection (e) planning grant to derive a target goal for recidivism reduction during the 3-year period beginning on the date of implementation of the program.'';

(5) in subsection (i)(1)—

(A) in the matter preceding subparagraph (A), by striking ''under this section'' and inserting ''under subsection (f)''; and

(B) in subparagraph (B), by striking ''subsection (e)(4)'' and inserting ''subsection (f)(2)(D)'';

(6) in subsection (j)—

(A) in paragraph (1), by inserting ''for an implementation grant under subsection (f)'' after ''applicant'';

(B) in paragraph (2)—

(i) in subparagraph (E), by inserting '', where appropriate'' after ''support''; and

(ii) by striking subparagraphs (F), (G), and (H), and inserting the following:

''(F) increased number of staff trained to administer reentry services;

''(G) increased proportion of individuals served by the program among those eligible to receive services;

''(H) increased number of individuals receiving risk screening needs assessment, and case planning services;

''(I) increased enrollment in, and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services;

''(J) increased enrollment in and degrees earned from educational programs, including high school, GED, vocational training, and college education;

''(K) increased number of individuals obtaining and retaining employment;

''(L) increased number of individuals obtaining and maintaining housing;

''(M) increased self-reports of successful community living, including stability of living situation and positive family relationships;

''(N) reduction in drug and alcohol use; and

''(O) reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.'';

(C) in paragraph (3), by striking ''facilities.'' and inserting ''facilities, including a cost-benefit analysis to determine the cost effectiveness of the reentry program.'';

(D) in paragraph (4), by striking ''this section'' and inserting ''subsection (f)''; and

(E) in paragraph (5), by striking ''this section'' and inserting ''subsection (f)'';

(7) in subsection (k)(1), by striking ''this section'' each place the term appears and inserting ''subsection (f)'';

(8) in subsection (l)—

(A) in paragraph (2), by inserting ''beginning on the date on which the most recent implementation grant is made to the grantee under subsection (f)'' after ''2-year period''; and

(B) in paragraph (4), by striking ''over a 2-year period'' and inserting ''during the 2-year period described in paragraph (2)'';

(9) in subsection (o)(1), by striking ''appropriated'' and all that follows and inserting the following: ''appropriated $35,000,000 for each of fiscal years 2019 through 2023.''; and

(10) by adding at the end the following:

''(p) DEFINITION.—In this section, the term 'reentry court' means a program that—

''(1) monitors juvenile and adult eligible offenders reentering the community;

''(2) provides continual judicial supervision;

''(3) provides juvenile and adult eligible offenders reentering the community with coordinated and comprehensive reentry services and programs, such as—

''(A) drug and alcohol testing and assessment for treatment;

''(B) assessment for substance abuse from a substance abuse professional who is approved by the State or Indian tribe and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

''(C) substance abuse treatment, including medication-assisted treatment, from a provider that is approved by the State or Indian tribe, and licensed, if necessary, to provide medical and other health services;

''(D) health (including mental health) services and assessment;

''(E) aftercare and case management services that—

''(i) facilitate access to clinical care and related health services; and

''(ii) coordinate with such clinical care and related health services; and

''(F) any other services needed for reentry;

''(4) convenes community impact panels, victim impact panels, or victim impact educational classes;

''(5) provides and coordinates the delivery of community services to juvenile and adult eligible offenders, including—

''(A) housing assistance;

''(B) education;

''(C) job training;

''(D) conflict resolution skills training;

''(E) batterer intervention programs; and

''(F) other appropriate social services; and

''(6) establishes and implements graduated sanctions and incentives.''.

(b) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—Part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10591 et seq.) is amended—

(1) in section 2921 (34 U.S.C. 10591), in the matter preceding paragraph (1), by inserting ''nonprofit organizations,'' before ''and Indian'';

(2) in section 2923 (34 U.S.C. 10593), by adding at the end the following:

''(c) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority consideration to grant applications for grants under section 2921 that are submitted by a nonprofit organization that demonstrates a relationship with State and local criminal justice agencies, including—

''(1) within the judiciary and prosecutorial agencies; or

''(2) with the local corrections agencies, which shall be documented by a written agreement that details the terms of access to facilities and participants and provides information on the history of the organization of working with correctional populations.''; and

(3) by striking section 2926(a) and inserting the following:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part $10,000,000 for each of fiscal years 2019 through 2023.''.

(c) GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by striking the second part designated as part JJ, as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods at prisons, jails, and juvenile facilities;

(2) by adding at the end the following:

''PART NN—GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES

''SEC. 3041. GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.

''(a) GRANT PROGRAM AUTHORIZED.—The Attorney General may carry out a grant program under which the Attorney General may make grants to States, units of local government, territories, Indian Tribes, and other public and private entities to—

''(1) evaluate methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities;

''(2) identify, and make recommendations to the Attorney General regarding, best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities, based on the evaluation under paragraph (1);

''(3) improve the academic and vocational education programs (including technology career training) available to offenders in prisons, jails, and juvenile facilities; and

''(4) implement methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities consistent with the best practices identified in subsection (c).

''(b) APPLICATION.—To be eligible for a grant under this part, a State or other entity described in subsection (a) shall submit to the Attorney General an application in such form and manner, at such time, and accompanied by such information as the Attorney General specifies.

''(c) BEST PRACTICES.—Not later than 180 days after the date of enactment of the Second Chance Reauthorization Act of 2018, the Attorney General shall identify and publish best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities. The best practices shall consider the evaluations performed and recommendations made under grants made under subsection (a) before the date of enactment of the Second Chance Reauthorization Act of 2018.

''(d) REPORT.—Not later than 90 days after the last day of the final fiscal year of a grant under this part, each entity described in subsection (a) receiving such a grant shall submit to the Attorney General a detailed report of the progress made by the entity using such grant, to permit the Attorney General to evaluate and improve academic and vocational education methods carried out with grants under this part.''; and

(3) in section 1001(a) of part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)), by adding at the end the following:

''(28) There are authorized to be appropriated to carry out section 3031(a)(4) of part NN $5,000,000 for each of fiscal years 2019, 2020, 2021, 2022, and 2023.''.

(d) CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of 2007 (34 U.S.C. 60511) is amended—

(1) in the heading, by striking ''***TECHNOLOGY CAREERS***'' and inserting ''***CAREERS***'';

(2) in subsection (a)—

(A) by striking ''and Indian'' and inserting ''nonprofit organizations, and Indian''; and

(B) by striking ''technology career training to prisoners'' and inserting ''career training, including subsidized employment, when part of a training program, to prisoners and reentering youth and adults'';

(3) in subsection (b)—

(A) by striking ''technology careers training'';

(B) by striking ''technology-based''; and

(C) by inserting '', as well as upon transition and reentry into the community'' after ''facility'';

(4) by striking subsection (e);

(5) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(6) by inserting after subsection (b) the following:

''(c) PRIORITY CONSIDERATION.—Priority consideration shall be given to any application under this section that—

''(1) provides assessment of local demand for employees in the geographic areas to which offenders are likely to return;

''(2) conducts individualized reentry career planning upon the start of incarceration or post-release employment planning for each offender served under the grant;

''(3) demonstrates connections to employers within the local community; or

''(4) tracks and monitors employment outcomes.''; and

(7) by adding at the end the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2019, 2020, 2021, 2022, and 2023.''.

(e) OFFENDER REENTRY SUBSTANCE ABUSE AND CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section 201(f)(1) of the Second Chance Act of 2007 (34 U.S.C. 60521(f)(1)) is amended to read as follows:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2019 through 2023.''.

(f) COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS.—

(1) IN GENERAL.—Section 211 of the Second Chance Act of 2007 (34 U.S.C. 60531) is amended—

(A) in the header, by striking ''***MENTORING GRANTS TO NONPROFIT ORGANIZATIONS***'' and inserting ''***COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS***'';

(B) in subsection (a), by striking ''mentoring and other'';

(C) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) transitional services to assist in the reintegration of offenders into the community, including—

''(A) educational, literacy, and vocational, services and the Transitional Jobs strategy;

''(B) substance abuse treatment and services;

''(C) coordinated supervision and services for offenders, including physical health care and comprehensive housing and mental health care;

''(D) family services; and

''(E) validated assessment tools to assess the risk factors of returning inmates; and''; and

(D) in subsection (f), by striking ''this section'' and all that follows and inserting the following: ''this section $15,000,000 for each of fiscal years 2019 through 2023.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 657) is amended by striking the item relating to section 211 and inserting the following:

''Sec. 211. Community-based mentoring and transitional service grants.''.

(g) DEFINITIONS.—

(1) IN GENERAL.—Section 4 of the Second Chance Act of 2007 (34 U.S.C. 60502) is amended to read as follows:

''SEC. 4. DEFINITIONS.

''In this Act—

''(1) the term 'exoneree' means an individual who—

''(A) has been convicted of a Federal, tribal, or State offense that is punishable by a term of imprisonment of more than 1 year;

''(B) has served a term of imprisonment for not less than 6 months in a Federal, tribal, or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

''(C) has been determined to be factually innocent of the offense described in subparagraph (A);

''(2) the term 'Indian tribe' has the meaning given in section 901 of title I of the Omnibus

Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251);

''(3) the term 'offender' includes an exoneree; and

''(4) the term 'Transitional Jobs strategy' means an employment strategy for youth and adults who are chronically unemployed or those that have barriers to employment that—

''(A) is conducted by State, tribal, and local governments, State, tribal, and local workforce boards, and nonprofit organizations;

''(B) provides time-limited employment using individual placements, team placements, and social enterprise placements, without displacing existing employees;

''(C) pays wages in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law, which are subsidized, in whole or in part, by public funds;

''(D) combines time-limited employment with activities that promote skill development, remove barriers to employment, and lead to unsubsidized employment such as a thorough orientation and individual assessment, job readiness and life skills training, case management and supportive services, adult education and training, child support-related services, job retention support and incentives, and other similar activities;

''(E) places participants into unsubsidized employment; and

''(F) provides job retention, re-employment services, and continuing and vocational education to ensure continuing participation in unsubsidized employment and identification of opportunities for advancement.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 657) is amended by striking the item relating to section 4 and inserting the following:

''Sec. 4. Definitions.''.

(h) EXTENSION OF THE LENGTH OF SECTION 2976 GRANTS.—Section 6(1) of the Second Chance Act of 2007 (34 U.S.C. 60504(1)) is amended by inserting ''or under section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631)'' after ''and 212''.

SEC. 503. AUDIT AND ACCOUNTABILITY OF GRANTEES.

(a) DEFINITIONS.—In this section—

(1) the term ''covered grant program'' means grants awarded under section 115, 201, or 211 of the Second Chance Act of 2007 (34 U.S.C. 60511, 60521, and 60531), as amended by this title;

(2) the term ''covered grantee'' means a recipient of a grant from a covered grant program;

(3) the term ''nonprofit'', when used with respect to an organization, means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986, and is exempt from taxation under section 501(a) of such Code; and

(4) the term ''unresolved audit finding'' means an audit report finding in a final audit report of the Inspector General of the Department of Justice that a covered grantee has used grant funds awarded to that grantee under a covered grant program for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 12-month period prior to the date on which the final audit report is issued.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2019, and annually thereafter, the Inspector General of the Department of Justice shall conduct audits of covered grantees to prevent waste, fraud, and abuse of funds awarded under covered grant programs. The Inspector General shall determine the appropriate number of covered grantees to be audited each year.

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under a covered grant program in the fiscal year following the fiscal year to which the finding relates.

(d) REIMBURSEMENT.—If a covered grantee is awarded funds under the covered grant program from which it received a grant award during the 1-fiscal-year period during which the covered grantee is ineligible for an allocation of grant funds under subsection (c), the Attorney General shall—

(1) deposit into the General Fund of the Treasury an amount that is equal to the amount of the grant funds that were improperly awarded to the covered grantee; and

(2) seek to recoup the costs of the repayment to the Fund from the covered grantee that was improperly awarded the grant funds.

(e) PRIORITY OF GRANT AWARDS.—The Attorney General, in awarding grants under a covered grant program shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

(f) NONPROFIT REQUIREMENTS.—

(1) PROHIBITION.—A nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax described in section 511(a) of the Internal Revenue Code of 1986, shall not be eligible to receive, directly or indirectly, any funds from a covered grant program.

(2) DISCLOSURE.—Each nonprofit organization that is a covered grantee shall disclose in its application for such a grant, as a condition of receipt of such a grant, the compensation of its officers, directors, and trustees. Such disclosure shall include a description of the criteria relied on to determine such compensation.

(g) PROHIBITION ON LOBBYING ACTIVITY.—

(1) IN GENERAL.—Amounts made available under a covered grant program may not be used by any covered grantee to—

(A) lobby any representative of the Department of Justice regarding the award of grant funding; or

(B) lobby any representative of the Federal Government or a State, local, or tribal government regarding the award of grant funding.

(2) PENALTY.—If the Attorney General determines that a covered grantee has violated paragraph (1), the Attorney General shall—

(A) require the covered grantee to repay the grant in full; and

(B) prohibit the covered grantee from receiving a grant under the covered grant program from which it received a grant award during at least the 5-year period beginning on the date of such violation.

SEC. 504. FEDERAL REENTRY IMPROVEMENTS.

(a) RESPONSIBLE REINTEGRATION OF OFFENDERS.—Section 212 of the Second Chance Act of 2007 (34 U.S.C. 60532) is repealed.

(b) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (434 U.S.C. 60541) is amended—

(1) in subsection (g)—

(A) in paragraph (3), by striking ''carried out during fiscal years 2009 and 2010'' and inserting ''carried out during fiscal years 2019 through 2023''; and

(B) in paragraph (5)(A)(ii), by striking ''the greater of 10 years or'';

(2) by striking subsection (h);

(3) by redesignating subsection (i) as subsection (h); and

(4) in subsection (h), as so redesignated, by striking ''2009 and 2010'' and inserting ''2019 through 2023''.

(c) ENHANCING REPORTING REQUIREMENTS PERTAINING TO COMMUNITY CORRECTIONS.—Section 3624(c) of title 18, United States Code, is amended—

(1) in paragraph (5), in the second sentence, by inserting '', and number of prisoners not being placed in community corrections facilities for each reason set forth'' before '', and any other information''; and

(2) in paragraph (6), by striking ''the Second Chance Act of 2007'' and inserting ''the Second Chance Reauthorization Act of 2018''.

(d) TERMINATION OF STUDY ON EFFECTIVENESS OF DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section 244 of the Second Chance Act of 2007 (34 U.S.C. 60554) is repealed.

(e) AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH.—Section 245 of the Second Chance Act of 2007 (34 U.S.C. 60555) is amended—

(1) by striking ''243, and 244'' and inserting ''and 243''; and

(2) by striking ''$10,000,000 for each of the fiscal years 2009 and 2010'' and inserting ''$5,000,000 for each of the fiscal years 2019, 2020, 2021, 2022, and 2023''.

(f) FEDERAL PRISONER RECIDIVISM REDUCTION PROGRAMMING ENHANCEMENT.—

(1) IN GENERAL.—Section 3621 of title 18, United States Code, as amended by section 102(a) of this Act, is amended—

(A) by redesignating subsection (g) as subsection (i); and

(B) by inserting after subsection (f) the following:

''(g) PARTNERSHIPS TO EXPAND ACCESS TO REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—

''(1) DEFINITION.—The term 'demonstrated to reduce recidivism' means that the Director of Bureau of Prisons has determined that appropriate research has been conducted and has validated the effectiveness of the type of program on recidivism.

''(2) ELIGIBILITY FOR RECIDIVISM REDUCTION PARTNERSHIP.—A faith-based or community-based nonprofit organization that provides mentoring or other programs that have been demonstrated to reduce recidivism is eligible to enter into a recidivism reduction partnership with a prison or community-based facility operated by the Bureau of Prisons.

''(3) RECIDIVISM REDUCTION PARTNERSHIPS.—The Director of the Bureau of Prisons shall develop policies to require wardens of prisons and community-based facilities to enter into recidivism reduction partnerships with faith-based and community-based nonprofit organizations that are willing to provide, on a volunteer basis, programs described in paragraph (2).

''(4) REPORTING REQUIREMENT.—The Director of the Bureau of Prisons shall submit to Congress an annual report on the last day of each fiscal year that—

''(A) details, for each prison and community-based facility for the fiscal year just ended—

''(i) the number of recidivism reduction partnerships under this section that were in effect;

''(ii) the number of volunteers that provided recidivism reduction programming; and

''(iii) the number of recidivism reduction programming hours provided; and

''(B) explains any disparities between facilities in the numbers reported under subparagraph (A).''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect 180 days after the date of enactment of this Act.

(g) REPEALS.—

(1) Section 2978 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10633) is repealed.

(2) Part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10581 et seq.) is repealed.

SEC. 505. FEDERAL INTERAGENCY REENTRY COORDINATION.

(a) REENTRY COORDINATION.—The Attorney General, in consultation with the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Veterans Affairs, the Secretary of Agriculture, and the heads of such other agencies of the Federal Government as the Attorney General considers appropriate, and in collaboration with interested persons, service providers, nonprofit organizations, and State, tribal, and local governments, shall coordinate on Federal programs, policies, and activities relating to the reentry of individuals returning from incarceration to the community, with an emphasis on evidence-based practices and protection against duplication of services.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Attorney General, in consultation with the Secretaries listed in subsection (a), shall submit to Congress a report summarizing the achievements under subsection (a), and including recommendations for Congress that would further reduce barriers to successful reentry.

SEC. 506. CONFERENCE EXPENDITURES.

(a) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this title, or any amendments made by this title, may be used by the Attorney General, or by any individual or organization awarded discretionary funds under this title, or any amendments made by this title, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference. A conference that uses more than $20,000 in such funds, but less than an average of $500 in such funds for each attendee of the conference, shall not be subject to the limitations of this section.

(b) WRITTEN APPROVAL.—Written approval under subsection (a) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

(c) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this section.

SEC. 507. EVALUATION OF THE SECOND CHANCE ACT PROGRAM.

(a) EVALUATION OF THE SECOND CHANCE ACT GRANT PROGRAM.—Not later than 5 years after the date of enactment of this Act, the National Institute of Justice shall evaluate the effectiveness of grants used by the Department of Justice to support offender reentry and recidivism reduction programs at the State, local, Tribal, and Federal levels. The National Institute of Justice shall evaluate the following:

(1) The effectiveness of such programs in relation to their cost, including the extent to which the programs improve reentry outcomes, including employment, education, housing, reductions in recidivism, of participants in comparison to comparably situated individuals who did not participate in such programs and activities.

(2) The effectiveness of program structures and mechanisms for delivery of services.

(3) The impact of such programs on the communities and participants involved.

(4) The impact of such programs on related programs and activities.

(5) The extent to which such programs meet the needs of various demographic groups.

(6) The quality and effectiveness of technical assistance provided by the Department of Justice to grantees for implementing such programs.

(7) Such other factors as may be appropriate.

(b) AUTHORIZATION OF FUNDS FOR EVALUATION.—Not more than 1 percent of any amounts authorized to be appropriated to carry out the Second Chance Act grant program shall be made available to the National Institute of Justice each year to evaluate the processes, implementation, outcomes, costs, and effectiveness of the Second Chance Act grant program in improving reentry and reducing recidivism. Such funding may be used to provide support to grantees for supplemental data collection, analysis, and coordination associated with evaluation activities.

(c) TECHNIQUES.—Evaluations conducted under this section shall use appropriate methodology and research designs. Impact evaluations conducted under this section shall include the use of intervention and control groups chosen by random assignment methods, to the extent possible.

(d) METRICS AND OUTCOMES FOR EVALUATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the National Institute of Justice shall consult with relevant stakeholders and identify outcome measures, including employment, housing, education, and public safety, that are to be achieved by programs authorized under the Second Chance Act grant program and the metrics by which the achievement of such outcomes shall be determined.

(2) PUBLICATION.—Not later than 30 days after the date on which the National Institute of Justice identifies metrics and outcomes under paragraph (1), the Attorney General shall publish such metrics and outcomes identified.

(e) DATA COLLECTION.—As a condition of award under the Second Chance Act grant program (including a subaward under section 3021(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10701(b))), grantees shall be required to collect and report to the Department of Justice data based upon the metrics identified under subsection (d). In accordance with applicable law, collection of individual-level data under a pledge of confidentiality shall be protected by the National Institute of Justice in accordance with such pledge.

(f) DATA ACCESSIBILITY.—Not later than 5 years after the date of enactment of this Act, the National Institute of Justice shall—

(1) make data collected during the course of evaluation under this section available in de-identified form in such a manner that reasonably protects a pledge of confidentiality to participants under subsection (e); and

(2) make identifiable data collected during the course of evaluation under this section available to qualified researchers for future research and evaluation, in accordance with applicable law.

(g) PUBLICATION AND REPORTING OF EVALUATION FINDINGS.—The National Institute of Justice shall—

(1) not later than 365 days after the date on which the enrollment of participants in an impact evaluation is completed, publish an interim report on such evaluation;

(2) not later than 90 days after the date on which any evaluation is completed, publish and make publicly available such evaluation; and

(3) not later than 60 days after the completion date described in paragraph (2), submit a report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on such evaluation.

(h) SECOND CHANCE ACT GRANT PROGRAM DEFINED.—In this section, the term ''Second Chance Act grant program'' means any grant program reauthorized under this title and the amendments made by this title.

SEC. 508. GAO REVIEW.

Not later than 3 years after the date of enactment of the First Step Act of 2018 the Comptroller General of the United States shall conduct a review of all of the grant awards made under this title and amendments made by this title that includes—

(1) an evaluation of the effectiveness of the reentry programs funded by grant awards under this title and amendments made by this title at reducing recidivism, including a determination of which reentry programs were most effective;

(2) recommendations on how to improve the effectiveness of reentry programs, including those for which prisoners may earn time credits under the First Step Act of 2018; and

(3) an evaluation of the effectiveness of mental health services, drug treatment, medical care, job training and placement, educational services, and vocational services programs funded under this title and amendments made by this title.

TITLE VI—MISCELLANEOUS CRIMINAL JUSTICE

SEC. 601. PLACEMENT OF PRISONERS CLOSE TO FAMILIES.

Section 3621(b) of title 18, United States Code, is amended—

(1) by striking ''shall designate the place of the prisoner's imprisonment.'' and inserting ''shall designate the place of the prisoner's imprisonment, and shall, subject to bed availability, the prisoner's security designation, the prisoner's programmatic needs, the prisoner's mental and medical health needs, any request made by the prisoner related to faith-based needs, recommendations of the sentencing court, and other security concerns of the Bureau of Prisons, place the prisoner in a facility as close as practicable to the prisoner's primary residence, and to the extent practicable, in a facility within 500 driving miles of that residence. The Bureau shall, subject to consideration of the factors described in the preceding sentence and the prisoner's preference for staying at his or her current facility or being transferred, transfer prisoners to facilities that are closer to the prisoner's primary residence even if the prisoner is already in a facility within 500 driving miles of that residence.''; and

(2) by adding at the end the following: ''Notwithstanding any other provision of law, a designation of a place of imprisonment under this subsection is not reviewable by any court.''.

SEC. 602. HOME CONFINEMENT FOR LOW-RISK PRISONERS.

Section 3624(c)(2) of title 18, United States Code, is amended by adding at the end the following: ''The Bureau of Prisons shall, to the extent practicable, place prisoners with lower risk levels and lower needs on home confinement for the maximum amount of time permitted under this paragraph.''.

SEC. 603. FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION; MODIFICATION OF IMPOSED TERM OF IMPRISONMENT.

(a) FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION.—Section 231(g) of the Second Chance Act of 2007 (34 U.S.C. 60541(g)) is amended—

(1) in paragraph (1)—

(A) by inserting ''and eligible terminally ill offenders'' after ''elderly offenders'' each place the term appears;

(B) in subparagraph (A), by striking ''a Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities'';

(C) in subparagraph (B)—

(i) by striking ''the Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities''; and

(ii) by inserting '', upon written request from either the Bureau of Prisons or an eligible elderly offender or eligible terminally ill offender'' after ''to home detention''; and

(D) in subparagraph (C), by striking ''the Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities'';

(2) in paragraph (2), by inserting ''or eligible terminally ill offender'' after ''elderly offender'';

(3) in paragraph (3), as amended by section 504(b)(1)(A) of this Act, by striking ''at least one Bureau of Prisons facility'' and inserting ''Bureau of Prisons facilities''; and

(4) in paragraph (4)—

(A) by inserting ''or eligible terminally ill offender'' after ''each eligible elderly offender''; and

(B) by inserting ''and eligible terminally ill offenders'' after ''eligible elderly offenders''; and

(5) in paragraph (5)—

(A) in subparagraph (A)—

(i) in clause (i), striking ''65 years of age'' and inserting ''60 years of age''; and

(ii) in clause (ii), as amended by section 504(b)(1)(B) of this Act, by striking ''75 percent'' and inserting ''⅔''; and

(B) by adding at the end the following:

''(D) ELIGIBLE TERMINALLY ILL OFFENDER.—The term 'eligible terminally ill offender' means an offender in the custody of the Bureau of Prisons who—

''(i) is serving a term of imprisonment based on conviction for an offense or offenses that do not include any crime of violence (as defined in section 16(a) of title 18, United States Code), sex offense (as defined in section 111(5) of the Sex Offender Registration and Notification Act (34 U.S.C. 20911(5))), offense described in section 2332b(g)(5)(B) of title 18, United States Code, or offense under chapter 37 of title 18, United States Code;

''(ii) satisfies the criteria specified in clauses (iii) through (vii) of subparagraph (A); and

''(iii) has been determined by a medical doctor approved by the Bureau of Prisons to be—

''(I) in need of care at a nursing home, intermediate care facility, or assisted living facility, as those terms are defined in section 232 of the National Housing Act (12 U.S.C. 1715w); or

''(II) diagnosed with a terminal illness.''.

(b) INCREASING THE USE AND TRANSPARENCY OF COMPASSIONATE RELEASE.—Section 3582 of title 18, United States Code, is amended—

(1) in subsection (c)(1)(A), in the matter preceding clause (i), by inserting after ''Bureau of Prisons,'' the following: ''or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier,'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

''(d) NOTIFICATION REQUIREMENTS.—

''(1) TERMINAL ILLNESS DEFINED.—In this subsection, the term 'terminal illness' means a disease or condition with an end-of-life trajectory.

''(2) NOTIFICATION.—The Bureau of Prisons shall, subject to any applicable confidentiality requirements—

''(A) in the case of a defendant diagnosed with a terminal illness—

''(i) not later than 72 hours after the diagnosis notify the defendant's attorney, partner, and family members of the defendant's condition and inform the defendant's attorney, partner, and family members that they may prepare and submit on the defendant's behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

''(ii) not later than 7 days after the date of the diagnosis, provide the defendant's partner and family members (including extended family) with an opportunity to visit the defendant in person;

''(iii) upon request from the defendant or his attorney, partner, or a family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

''(iv) not later than 14 days of receipt of a request for a sentence reduction submitted on the defendant's behalf by the defendant or the defendant's attorney, partner, or family member, process the request;

''(B) in the case of a defendant who is physically or mentally unable to submit a request for a sentence reduction pursuant to subsection (c)(1)(A)—

''(i) inform the defendant's attorney, partner, and family members that they may prepare and submit on the defendant's behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

''(ii) accept and process a request for sentence reduction that has been prepared and submitted on the defendant's behalf by the defendant's attorney, partner, or family member under clause (i); and

''(iii) upon request from the defendant or his attorney, partner, or family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

''(C) ensure that all Bureau of Prisons facilities regularly and visibly post, including in prisoner handbooks, staff training materials, and facility law libraries and medical and hospice facilities, and make available to prisoners upon demand, notice of—

''(i) a defendant's ability to request a sentence reduction pursuant to subsection (c)(1)(A);

''(ii) the procedures and timelines for initiating and resolving requests described in clause (i); and

''(iii) the right to appeal a denial of a request described in clause (i) after all administrative rights to appeal within the Bureau of Prisons have been exhausted.

''(3) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this subsection, and once every year thereafter, the Director of the Bureau of Prisons shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on requests for sentence reductions pursuant to subsection (c)(1)(A), which shall include a description of, for the previous year—

''(A) the number of prisoners granted and denied sentence reductions, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(B) the number of requests initiated by or on behalf of prisoners, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(C) the number of requests that Bureau of Prisons employees assisted prisoners in drafting, preparing, or submitting, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

''(D) the number of requests that attorneys, partners, or family members submitted on a defendant's behalf, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

''(E) the number of requests approved by the Director of the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(F) the number of requests denied by the Director of the Bureau of Prisons and the reasons given for each denial, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(G) for each request, the time elapsed between the date the request was received by the warden and the final decision, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(H) for each request, the number of prisoners who died while their request was pending and, for each, the amount of time that had elapsed between the date the request was received by the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

''(I) the number of Bureau of Prisons notifications to attorneys, partners, and family members of their right to visit a terminally ill defendant as required under paragraph (2)(A)(ii) and, for each, whether a visit occurred and how much time elapsed between the notification and the visit;

''(J) the number of visits to terminally ill prisoners that were denied by the Bureau of Prisons due to security or other concerns, and the reasons given for each denial; and

''(K) the number of motions filed by defendants with the court after all administrative rights to appeal a denial of a sentence reduction had been exhausted, the outcome of each motion, and the time that had elapsed between the date the request was first received by the Bureau of Prisons and the date the defendant filed the motion with the court.''.

SEC. 604. IDENTIFICATION FOR RETURNING CITIZENS.

(a) IDENTIFICATION AND RELEASE ASSISTANCE FOR FEDERAL PRISONERS.—Section 231(b) of the Second Chance Act of 2007 (34 U.S.C. 60541(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''(including'' and inserting ''prior to release from a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term in community confinement, including''; and

(B) by striking ''or birth certificate) prior to release'' and inserting ''and a birth certificate''; and

(2) by adding at the end the following:

''(4) DEFINITION.—In this subsection, the term 'community confinement' means residence in a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community facility.''.

(b) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (D) and (E) as paragraphs (6) and (7), respectively;

(2) in paragraph (6) (as so redesignated)—

(A) in clause (i)—

(i) by striking ''Social Security Cards,''; and

(ii) by striking ''and'' at the end;

(B) by redesignating clause (ii) as clause (iii);

(C) by inserting after clause (i) the following:

''(ii) obtain identification, including a social security card, driver's license or other official photo identification, and a birth certificate; and'';

(D) in clause (iii) (as so redesignated), by inserting after ''prior to release'' the following: ''from a sentence to a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term of community confinement''; and

(E) by redesignating clauses (i), (ii), and (iii) (as so amended) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly; and

(3) in paragraph (7) (as so redesignated), by redesignating clauses (i) through (vii) as subparagraphs (A) through (G), respectively, and adjusting the margins accordingly.

SEC. 605. EXPANDING INMATE EMPLOYMENT THROUGH FEDERAL PRISON INDUSTRIES.

(a) NEW MARKET AUTHORIZATIONS.—Chapter 307 of title 18, United States Code, is amended by inserting after section 4129 the following:

''§ 4130. Additional markets

''(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of law, Federal Prison Industries may sell products to—

''(1) public entities for use in penal or correctional institutions;

''(2) public entities for use in disaster relief or emergency response;

''(3) the government of the District of Columbia; and

''(4) any organization described in subsection (c)(3), (c)(4), or (d) of section 501 of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code.

''(b) OFFICE FURNITURE.—Federal Prison Industries may not sell office furniture to the organizations described in subsection (a)(4).

''(c) DEFINITIONS.—In this section:

''(1) The term 'office furniture' means any product or service offering intended to meet the furnishing needs of the workplace, including office, healthcare, educational, and hospitality environments.

''(2) The term 'public entity' means a State, a subdivision of a State, an Indian tribe, and an agency or governmental corporation or business of any of the foregoing.

''(3) The term 'State' means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the United States Virgin Islands.''.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 307 of title 18, United States Code, is amended by inserting after the item relating to section 4129 the following:

''4130. Additional markets.''.

(c) DEFERRED COMPENSATION.—Section 4126(c)(4) of title 18, United States Code, is amended by inserting after ''operations,'' the following: ''not less than 15 percent of such compensation for any inmate shall be reserved in the fund or a separate account and made available to assist the inmate with costs associated with release from prison,''.

(d) GAO REPORT.—Beginning not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of Federal Prison Industries that includes the following:

(1) An evaluation of Federal Prison Industries's effectiveness in reducing recidivism compared to other rehabilitative programs in the prison system.

(2) An evaluation of the scope and size of the additional markets made available to Federal Prison Industries under this section and the total market value that would be opened up to Federal Prison Industries for competition with private sector providers of products and services.

(3) An evaluation of whether the following factors create an unfair competitive environment between Federal Prison Industries and private sector providers of products and services which would be exacerbated by further expansion:

(A) Federal Prison Industries's status as a mandatory source of supply for Federal agencies and the requirement that the buying agency must obtain a waiver in order to make a competitive purchase from the private sector if the item to be acquired is listed on the schedule of products and services published by Federal Prison Industries.

(B) Federal Prison Industries's ability to determine that the price to be paid by Federal Agencies is fair and reasonable, rather than such a determination being made by the buying agency.

(C) An examination of the extent to which Federal Prison Industries is bound by the requirements of the generally applicable Federal Acquisition Regulation pertaining to the conformity of the delivered product with the specified design and performance specifications and adherence to the delivery schedule required by the Federal agency, based on the transactions being categorized as interagency transfers.

(D) An examination of the extent to which Federal Prison Industries avoids transactions that are little more than pass through transactions where the work provided by inmates does not create meaningful value or meaningful work opportunities for inmates.

(E) The extent to which Federal Prison Industries must comply with the same worker protection, workplace safety and similar regulations applicable to, and enforceable against, Federal contractors.

(F) The wages Federal Prison Industries pays to inmates, taking into account inmate productivity and other factors such as security concerns associated with having a facility in a prison.

(G) The effect of any additional cost advantages Federal Prison Industries has over private sector providers of goods and services, including—

(i) the costs absorbed by the Bureau of Prisons such as inmate medical care and infrastructure expenses including real estate and utilities; and

(ii) its exemption from Federal and State income taxes and property taxes.

(4) An evaluation of the extent to which the customers of Federal Prison Industries are satisfied with quality, price, and timely delivery of the products and services provided it provides, including summaries of other independent assessments such as reports of agency inspectors general, if applicable.

SEC. 606. DE-ESCALATION TRAINING.

Beginning not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Prisons shall incorporate into training programs provided to officers and employees of the Bureau of Prisons (including officers and employees of an organization with which the Bureau of Prisons has a contract to provide services relating to imprisonment) specialized and comprehensive training in procedures to—

(1) de-escalate encounters between a law enforcement officer or an officer or employee of the Bureau of Prisons, and a civilian or a prisoner (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act); and

(2) identify and appropriately respond to incidents that involve the unique needs of individuals who have a mental illness or cognitive deficit.

SEC. 607. EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.

(a) REPORT ON EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.—Not later than 90 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and the capacity of the Bureau of Prisons to treat heroin and opioid abuse through evidence-based programs, including medication-assisted treatment where appropriate. In preparing the report, the Director shall consider medication-assisted treatment as a strategy to assist in treatment where appropriate and not as a replacement for holistic and other drug-free approaches. The report shall include a description of plans to expand access to evidence-based treatment for heroin and opioid abuse for prisoners, including access to medication-assisted treatment in appropriate cases. Following submission, the Director shall take steps to implement these plans.

(b) REPORT ON THE AVAILABILITY OF MEDICATION-ASSISTED TREATMENT FOR OPIOID AND HEROIN ABUSE, AND IMPLEMENTATION THEREOF.—Not later than 120 days after the date of enactment of this Act, the Director of the Administrative Office of the United States Courts shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and capacity for the provision of medication-assisted treatment for opioid and heroin abuse by treatment service providers serving prisoners who are serving a term of supervised release, and including a description of plans to expand access to medication-assisted treatment for heroin and opioid abuse whenever appropriate among prisoners under supervised release. Following submission, the Director will take steps to implement these plans.

SEC. 608. PILOT PROGRAMS.

(a) IN GENERAL.—The Bureau of Prisons shall establish each of the following pilot programs for 5 years, in at least 20 facilities:

(1) MENTORSHIP FOR YOUTH.—A program to pair youth with volunteers from faith-based or community organizations, which may include formerly incarcerated offenders, that have relevant experience or expertise in mentoring, and a willingness to serve as a mentor in such a capacity.

(2) SERVICE TO ABANDONED, RESCUED, OR OTHERWISE VULNERABLE ANIMALS.—A program to equip prisoners with the skills to provide training and therapy to animals seized by Federal law enforcement under asset forfeiture authority and to organizations that provide shelter and similar services to abandoned, rescued, or otherwise vulnerable animals.

(b) REPORTING REQUIREMENT.—Not later than 1 year after the conclusion of the pilot programs, the Attorney General shall report to Congress on the results of the pilot programs under this section. Such report shall include cost savings, numbers of participants, and information about recidivism rates among participants.

(c) DEFINITION.—In this title, the term ''youth'' means a prisoner (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act) who was 21 years of age or younger at the time of the commission or alleged commission of the criminal offense for which the individual is being prosecuted or serving a term of imprisonment, as the case may be.

SEC. 609. ENSURING SUPERVISION OF RELEASED SEXUALLY DANGEROUS PERSONS.

(a) PROBATION OFFICERS.—Section 3603 of title 18, United States Code, is amended in paragraph (8)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

(b) PRETRIAL SERVICES OFFICERS.—Section 3154 of title 18, United States Code, is amended in paragraph (12)(A) by striking ''or 4246'' and inserting '', 4246, or 4248''.

SEC. 610. DATA COLLECTION.

(a) NATIONAL PRISONER STATISTICS PROGRAM.—Beginning not later than 1 year after the date of enactment of this Act, and annually thereafter, pursuant to the authority under section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732), the Director of the Bureau of Justice Statistics, with information that shall be provided by the Director of the Bureau of Prisons, shall include in the National Prisoner Statistics Program the following:

(1) The number of prisoners (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act) who are veterans of the Armed Forces of the United States.

(2) The number of prisoners who have been placed in solitary confinement at any time during the previous year.

(3) The number of female prisoners known by the Bureau of Prisons to be pregnant, as well as the outcomes of such pregnancies, including information on pregnancies that result in live birth, stillbirth, miscarriage, abortion, ectopic pregnancy, maternal death, neonatal death, and preterm birth.

(4) The number of prisoners who volunteered to participate in a substance abuse treatment program, and the number of prisoners who have participated in such a program.

(5) The number of prisoners provided medication-assisted treatment with medication approved by the Food and Drug Administration while in custody in order to treat substance use disorder.

(6) The number of prisoners who were receiving medication-assisted treatment with medication approved by the Food and Drug Administration prior to the commencement of their term of imprisonment.

(7) The number of prisoners who are the parent or guardian of a minor child.

(8) The number of prisoners who are single, married, or otherwise in a committed relationship.

(9) The number of prisoners who have not achieved a GED, high school diploma, or equivalent prior to entering prison.

(10) The number of prisoners who, during the previous year, received their GED or other equivalent certificate while incarcerated.

(11) The numbers of prisoners for whom English is a second language.

(12) The number of incidents, during the previous year, in which restraints were used on a female prisoner during pregnancy, labor, or postpartum recovery, as well as information relating to the type of restraints used, and the circumstances under which each incident occurred.

(13) The vacancy rate for medical and healthcare staff positions, and average length of such a vacancy.

(14) The number of facilities that operated, at any time during the previous year, without at least 1 clinical nurse, certified paramedic, or licensed physician on site.

(15) The number of facilities that during the previous year were accredited by the American Correctional Association.

(16) The number and type of recidivism reduction partnerships described in section 3621(h)(5) of title 18, United States Code, as added by section 102(a) of this Act, entered into by each facility.

(17) The number of facilities with remote learning capabilities.

(18) The number of facilities that offer prisoners video conferencing.

(19) Any changes in costs related to legal phone calls and visits following implementation of section 3632(d)(1) of title 18, United States Code, as added by section 101(a) of this Act.

(20) The number of aliens in prison during the previous year.

(21) For each Bureau of Prisons facility, the total number of violations that resulted in reductions in rewards, incentives, or time credits, the number of such violations for each category of violation, and the demographic breakdown of the prisoners who have received such reductions.

(22) The number of assaults on Bureau of Prisons staff by prisoners and the number of criminal prosecutions of prisoners for assaulting Bureau of Prisons staff.

(23) The capacity of each recidivism reduction program and productive activity to accommodate eligible inmates at each Bureau of Prisons facility.

(24) The number of volunteers who were certified to volunteer in a Bureau of Prisons facility, broken down by level (level I and level II), and by each Bureau of Prisons facility.

(25) The number of prisoners enrolled in recidivism reduction programs and productive activities at each Bureau of Prisons facility, broken down by risk level and by program, and the number of those enrolled prisoners who successfully completed each program.

(26) The breakdown of prisoners classified at each risk level by demographic characteristics, including age, sex, race, and the length of the sentence imposed.

(b) REPORT TO JUDICIARY COMMITTEES.—Beginning not later than 1 year after the date of enactment of this Act, and annually thereafter for a period of 7 years, the Director of the Bureau of Justice Statistics shall submit a report containing the information described in paragraphs (1) through (26) of subsection (a) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

SEC. 611. HEALTHCARE PRODUCTS.

(a) AVAILABILITY.—The Director of the Bureau of Prisons shall make the healthcare products described in subsection (c) available to prisoners for free, in a quantity that is appropriate to the healthcare needs of each prisoner.

(b) QUALITY PRODUCTS.—The Director shall ensure that the healthcare products provided under this section conform with applicable industry standards.

(c) PRODUCTS.—The healthcare products described in this subsection are tampons and sanitary napkins.

SEC. 612. ADULT AND JUVENILE COLLABORATION PROGRAMS.

Section 2991 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10651) is amended—

(1) in subsection (b)(4)—

(A) by striking subparagraph (D); and

(B) by redesignating subparagraph (E) as subparagraph (D);

(2) in subsection (e), by striking ''may use up to 3 percent'' and inserting ''shall use not less than 6 percent''; and

(3) by amending subsection (g) to read as follows:

''(g) COLLABORATION SET-ASIDE.—The Attorney General shall use not less than 8 percent of funds appropriated to provide technical assistance to State and local governments receiving grants under this part to foster collaboration between such governments in furtherance of the purposes set forth in section 3 of the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 (34 U.S.C. 10651 note).''.

SEC. 613. JUVENILE SOLITARY CONFINEMENT.

(a) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by adding at the end the following:

''§ 5043. Juvenile solitary confinement

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered juvenile' means—

''(A) a juvenile who—

''(i) is being proceeded against under this chapter for an alleged act of juvenile delinquency; or

''(ii) has been adjudicated delinquent under this chapter; or

''(B) a juvenile who is being proceeded against as an adult in a district court of the United States for an alleged criminal offense;

''(2) the term 'juvenile facility' means any facility where covered juveniles are—

''(A) committed pursuant to an adjudication of delinquency under this chapter; or

''(B) detained prior to disposition or conviction; and

''(3) the term 'room confinement' means the involuntary placement of a covered juvenile alone in a cell, room, or other area for any reason.

''(b) PROHIBITION ON ROOM CONFINEMENT IN JUVENILE FACILITIES.—

''(1) IN GENERAL.—The use of room confinement at a juvenile facility for discipline, punishment, retaliation, or any reason other than as a temporary response to a covered juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including the covered juvenile, is prohibited.

''(2) JUVENILES POSING RISK OF HARM.—

''(A) REQUIREMENT TO USE LEAST RESTRICTIVE TECHNIQUES.—

''(i) IN GENERAL.—Before a staff member of a juvenile facility places a covered juvenile in room confinement, the staff member shall attempt to use less restrictive techniques, including—

''(I) talking with the covered juvenile in an attempt to de-escalate the situation; and

''(II) permitting a qualified mental health professional to talk to the covered juvenile.

''(ii) EXPLANATION.—If, after attempting to use less restrictive techniques as required under clause (i), a staff member of a juvenile facility decides to place a covered juvenile in room confinement, the staff member shall first—

''(I) explain to the covered juvenile the reasons for the room confinement; and

''(II) inform the covered juvenile that release from room confinement will occur—

''(aa) immediately when the covered juvenile regains self-control, as described in subparagraph (B)(i); or

''(bb) not later than after the expiration of the time period described in subclause (I) or (II) of subparagraph (B)(ii), as applicable.

''(B) MAXIMUM PERIOD OF CONFINEMENT.—If a covered juvenile is placed in room confinement because the covered juvenile poses a serious and immediate risk of physical harm to himself or herself, or to others, the covered juvenile shall be released—

''(i) immediately when the covered juvenile has sufficiently gained control so as to no longer engage in behavior that threatens serious and immediate risk of physical harm to himself or herself, or to others; or

''(ii) if a covered juvenile does not sufficiently gain control as described in clause (i), not later than—

''(I) 3 hours after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm to others; or

''(II) 30 minutes after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm only to himself or herself.

''(C) RISK OF HARM AFTER MAXIMUM PERIOD OF CONFINEMENT.—If, after the applicable maximum period of confinement under subclause (I) or (II) of subparagraph (B)(ii) has expired, a covered juvenile continues to pose a serious and immediate risk of physical harm described in that subclause—

''(i) the covered juvenile shall be transferred to another juvenile facility or internal location where services can be provided to the covered juvenile without relying on room confinement; or

''(ii) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the juvenile facility shall initiate a referral to a location that can meet the needs of the covered juvenile.

''(D) SPIRIT AND PURPOSE.—The use of consecutive periods of room confinement to evade the spirit and purpose of this subsection shall be prohibited.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 403 of title 18, United States Code, is amended by adding at the end the following:

''5043. Juvenile solitary confinement.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on S. 756, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, in what may very well be my last floor statement as a Member of this esteemed body, I rise in strong support of the First Step Act. The bipartisan and bicameral bill before us is a meaningful and historic criminal justice reform measure. This is also an issue that I have dedicated much of my work to as chairman of the Judiciary Committee.

Nearly 4 years ago, I and former Ranking Member Conyers created the Criminal Justice Reform Initiative at the Judiciary Committee to address the significant congressional interest in criminal justice reform from Members who do and do not serve on the Judiciary Committee.

The purpose of the initiative was to develop bipartisan legislation to address several facets of the Federal criminal justice system, including overcriminalization, prison and reentry reform, sentencing reform, protecting citizens through improved criminal procedures and policing strategies, and civil asset forfeiture reform.

In addressing these issues, the committee relied on the work of the Over-

Criminalization Task Force, which held nine hearings on a variety of criminal justice topics during the 113th Congress, as well as the information provided to the committee by interested Members during the committee's listening session in June of 2015.

The work of that initiative has already yielded tremendous results. For instance, the Rapid DNA Act is helping local police departments by allowing them to submit DNA records that are generated by Rapid DNA systems outside an accredited laboratory to be uploaded to NDIS. This is important, as it can confirm or exonerate a suspect in a matter of hours instead of days or even weeks. That bill was signed into law by President Trump last year.

The Comprehensive Justice and Mental Health Act of 2015 promotes public safety and community health by facilitating collaboration among the criminal justice, juvenile justice, mental health treatment, and substance abuse systems to ensure those with mental illness receive the treatment and help they need. That bill became law as part of the 21st Century Cures Act.

While those two laws are incredible steps forward, the measure we have before us today is the crown jewel of criminal justice reform. The First Step Act before us today couples front end and back end reform to our criminal justice system.

Seven months ago, this body overwhelmingly passed the first iteration of the First Step Act. While it only contained back-end prison reforms, it was a very real and very important ''first step.'' During consideration of that bill, many of my colleagues voted against the measure because it did not contain any front-end sentencing reforms.

At the time, I noted that I support front-end reforms and, since then, worked with our colleagues in the Senate to ensure that they are included in the bill before us today.

On the front end, this bill makes reasonable changes to Federal law to more appropriately tailor sentences for drug offenders. It does not eliminate mandatory minimums but reduces them for certain offenders. It takes a scalpel, not a sledge hammer, to the Federal sentencing scheme.

Among other things, the bill reduces some of the harsher sentences for Federal drug offenders. It reduces the penalty for a third Federal drug offense from life imprisonment to not less than 25 years. This is a sensible change. We want to punish repeat offenders, but we do not want our Federal prisons to become nursing homes.

Importantly, this bipartisan legislation backstops these sentencing reductions by ensuring violent offenders are eligible for sentencing enhancements under the drug statutes. Congress enacted these minimum sentences 30 years ago to protect our communities from violent offenders. The bill ensures they carry out that mission.

On the back end, the First Step Act places a new focus on rehabilitation. The bill establishes a risk and needs assessment as the basis of an effective recidivism reduction program and, more importantly, an efficient and effective Federal prison sentence.

The First Step Act will incentivize prisoners to participate in evidence-based recidivism reduction programs, productive activities, and jobs that will actually reduce the risk of recidivism.

Finally, this comprehensive package contains the reauthorization of the Second Chance Act, a provision sponsored by the gentleman from Wisconsin (Mr. SENSENBRENNER). This measure authorizes funding for both public and private entities, including nonprofit organizations, to evaluate and improve academic and vocational education for offenders in prisons, jails, and juvenile facilities.

Reentry is a vital component of criminal justice reform. Nearly every Federal prisoner will someday be released. We all have an interest in ensuring ex-inmates become productive members of society.

I would be remiss if I did not point out the overwhelming bipartisan support from outside interest groups that the First Step Act has received. Numerous organizations on both the left and the right have enthusiastically endorsed this bill.

Finally, Mr. Speaker, I want to thank the chief House champions of the First Step Act, the gentleman from Georgia (Mr. COLLINS), who, in January, will take the position of ranking member of the House Judiciary Committee. He, along with the new chairman, Mr. NADLER, I hope, will continue the request for more criminal justice reform. I also want to acknowledge the gentleman from New York (Mr. JEFFRIES). They worked tirelessly to advance this legislation, and both Mr. COLLINS and Mr. JEFFRIES should be applauded for their bipartisan approach to this issue.

Mr. Speaker, I urge my colleagues to support this historic legislation, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 756, or the amendments thereto, the First Step Act, as passed by the Senate.

This legislation has traveled a long journey to get to this point. Along the way, various aspects of the bill have changed. Although I do not agree with all of the changes, on balance, the measure has greatly improved, thanks to the hard work of many Members on both sides of the aisle from the House and the Senate.

Before I get to the substance of the bill, I want to recognize some of the people most responsible for getting us here today. There are a number of champions of criminal justice reform in the Senate, but I particularly want to recognize and thank Senators DICK DURBIN and CHUCK GRASSLEY for their commitment to getting a bill that includes important sentencing reforms to the President's desk.

In the House, I want to thank my Judiciary Committee colleagues, HAKEEM JEFFRIES and DOUG COLLINS, who worked together and with us to achieve a bipartisan compromise that is the foundation of this bill.

I also thank the ranking member of the Crime Subcommittee, Representative SHEILA JACKSON LEE, who has helped hold this legislation to a high standard, knowing that so many are counting on us to address longstanding injustices.

There are many others in the House who have fought for substantial reform for years, upon whose labors this bill was built, who deserve our thanks.

Finally, let me recognize Judiciary Committee Chairman BOB GOODLATTE, who is retiring at the end of this term. He and I have not always seen eye to eye on a range of issues, including some aspects of this bill, but I appreciate his efforts as chairman over the past 6 years to work with my Democratic colleagues on the committee. Today, we join together in supporting an important, bipartisan bill. I thank him for his leadership in bringing us to the final stage of its consideration and for his service to Congress and to the country.

As for the bill itself, S. 756 makes a number of reforms to our Federal sentencing laws. It also establishes a new system to provide incentives to some Federal prisoners to participate in programs that will reduce the risk that they will commit crimes once they are released.

The prison reform provisions in this bill are similar to those in H.R. 5682, the House-passed measure with the same name as this new bill. The bill before us today includes provisions intended to address concerns that I and many others raised about the fairness of the new recidivism reduction system for Federal prisons.

For instance, this revised bill establishes an independent review committee of outside experts to assist the Justice Department in the development of the risk and needs assessment system that would determine the programming for inmates, their risk categories, and their eligibility for early entry into prerelease custody. Also, the bill expands the option for prerelease custody to include supervised release.

Changes such as these, in addition to authorizing more funding for the expansion of programming to reduce the risk of recidivism by inmates, help make this new system more fair.

In the other direction, however, I am disappointed the bill excludes additional categories of offenders from being able to earn early entry into prerelease custody, reducing the risk reduction incentives for those who perhaps need it the most.

The prison reform provisions of this bill also include a number of very positive changes, such as banning shackling of pregnant and postpartum inmates, fixing the calculation of time off earned for good behavior, improving application of compassionate release, and providing other measures to improve the welfare of Federal inmates.

In addition, the bill reauthorizes the Second Chance Act, a historically bipartisan effort to help ex-offenders successfully reenter their communities after having served their time.

Critically, this bill would not only implement these reforms to our prison system, but it also takes a crucial first step toward addressing grave concerns about our sentencing laws, which have for years fed a national crisis of mass incarceration.

It was largely due to the absence of provisions changing our sentencing laws that some of us opposed the House version of this bill, but that exclusion has been remedied, and we now support this bill wholeheartedly.

Among the sentencing reforms contained in this bill are expanding the existing safety valve to allow judges greater authority to sentence low-level, nonviolent offenders below the mandatory minimum, applying the crack cocaine sentence reductions from the Fair Sentencing Act of 2010 retroactively, reducing certain minimum sentences for recidivist offenders, and stopping the unfair ''stacking'' of mandatory sentencing enhancements for certain repeat firearms offenders.

Although we must do far more to address the injustice of mandatory minimum sentences and other policies that lead to mass incarceration, these changes recognize the fundamental unfairness of a system that imposes lengthy imprisonment that is not based on the facts and circumstances of each offender and each case.

This legislation is not the end of the discussion. As the title of the bill suggests, it is a first step. It will not solve longstanding problems with our criminal justice system—issues and injustices that will require more aggressive and comprehensive reforms in the future—but it does make substantial reforms, and it demonstrates that we can work together to make the system more fair in ways that will also reduce crime and victimization.

Therefore, I support this bill, and I ask my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time, and I ask unanimous consent that the gentlewoman from Texas (Ms. JACKSON LEE) be permitted to control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. COLLINS), and I ask unanimous consent that he be permitted to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank my colleague, Chairman GOODLATTE, as he is leaving now to continue his quest, going out running to another hearing, but I want to thank Chairman GOODLATTE for all that he has done and everything that he has expressed not only for our committee, but also for this bill, and also for Mr. NADLER and his support coming forward in this. We appreciate the work they have done and what we are seeing today.

Mr. Speaker, I rise today in support of S. 756, the First Step Act. This is historic legislation that will make our communities safer, save taxpayer money, and start addressing the revolving door of incarceration and crime by helping formerly incarcerated prisoners get a second chance at life.

I have said this so many times over the last couple of years. This is simply an M and M issue. This is about money and morals. This is about doing good with the taxpayer dollar and also giving people a chance, from a moral perspective, to have a second chance.

□ 1115

The legislation we are considering today is the culmination of extensive work with our colleagues across the aisle and in the Senate. I can proudly say that this is a truly bipartisan, bicameral bill.

I thank my friend and colleague HAKEEM JEFFRIES, who has been instrumental in this effort. We wouldn't be here today without his commitment to improving not only the justice system but individual lives. He has been a partner in many things, and this is the culmination of a large step. I thank him for that.

This bill is the result of compromise reached through extensive negotiations with the House, the Senate, and the White House, all of which want to address serious problems within our Federal criminal justice system.

The Federal prison population has increased from less than 25,000 in 1980 to over 183,000 today. Each year, tens of thousands of Federal prisoners return to their communities after completing their sentences. In fact, Mr. Speaker, if you take State, Federal, and local individuals incarcerated, 95 percent of them, at some point, will come home.

That is a question for each of us. That is a moral imperative on each of us, on how we are punishing and also how we are preparing them for reentry. Unfortunately, almost half of these individuals reoffend after release.

This cycle of recidivism drains taxpayer dollars, strains the limited resources at the Department of Justice, and undermines community safety.

First, this legislation will provide low-risk inmates with the incentives and the resources they need to develop new skills and break their bad habits so that they emerge from prison as Americans ready to be productive members of society instead of repeat offenders.

Secondly, the legislation includes carefully tailored sentencing reforms to address inherent disparities in our sentencing laws while keeping violent criminals from the incentives and benefits of the bill. Amending our sentencing laws requires care and balance, and I believe the negotiations over this bill have resulted in that balance. After many years of seeing how this has worked on the State level, through many studies and many evidence-based approaches, we are seeing this work.

Finally, the legislation includes the Second Chance Reauthorization Act, authored by my friend and colleague Congressman SENSENBRENNER. This legislation will reauthorize and reform grant programs that have been crucial to States working to improve reentrance services and to increase public safety.

This is also sort of special from my perspective as well, for in my home State of Georgia, Governor Nathan Deal, a former distinguished Member of this body, went home and began spearheading criminal justice reform legislation that has made Georgia safer while saving taxpayer dollars.

States like Georgia, Texas, and South Carolina have shown us that you can reduce both crime rates and incarceration rates through evidence-based approaches and carefully tailored sentencing laws.

The First Step Act, which is based on these States' successful reforms, uses evidence-based approaches to drive down the recidivism rate among Federal prisoners.

Also, Mr. Speaker, President Trump recently said this is an issue that unifies people, and it has unified a broad range of my colleagues in the Congress. Speaker RYAN has led on this issue for a long time, and today's bill would not be possible without his work and the work of Chairman GOODLATTE, Congressman JEFFRIES, SHEILA JACKSON LEE, our majority leader, and so many others.

As we continued on, it also transcended the House and went into the Senate, where Chairman GRASSLEY and Senators CORNYN, PERDUE, LEE, DURBIN, and WHITEHOUSE have negotiated tirelessly, and many legislators have worked to reach this compromise.

Yes, it is a compromise. It is something that we have worked on and studied and worked to find something that works for the American people.

I would also like to thank Jared Kushner and the Office of American Innovation for all their work and support in this legislation. When he came to the table, he came to the table with a full-on passion to find results and to get solutions. For that, Jared has been invaluable in this process.

Mr. Speaker, when I came to Washington, I came to legislate. I came to be a part of representing my district and my State and this country. I am

proud that my colleagues and I were able to do so here with the First Step Act, a bill that gives prisoners a second chance and makes communities safer.

Finally, there is a group out there that is pretty amazing, a group from both sides of the political spectrum: hundreds upon thousands of advocates across the country, adding their voices to the reform effort. Their commitment, focus, and drive helped us get to this point, and today, we have a chance to move forward with historic, meaningful legislation to improve lives, make communities safer, save taxpayer money, and make the judiciary system fairer.

Mr. Speaker, as Members well know, none of us stand here without help from others. I am blessed in my office to have people who are dedicated to not only finding solutions but sticking with it.

Jon Ferro in my office, who is my counsel, has worked on this tirelessly. In fact, Mr. Speaker, I am probably going to have to have some days built in for him to take off because he has not slept much in the last month. But he has tirelessly fought for this and worked with both the Senate and the White House to make sure this is an approach that will work and do what is intended.

And Erica Barker in my office, who, even with the trials of going through her own law school experience, has been invaluable, along with the rest of my office and the rest of the folks that we named already.

This is the time to pass something that makes sense, that has been studied, that is backed up by evidence. It is a thing that the Founders, I believe, had envisioned. We fight where we need to, but when we can find agreement, we find agreement for the American people.

Again, Mr. Speaker, it is about ''M and M's.'' It is about monies and morals, being smart on money and giving the people the chance that they need.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, let me indicate to the American people happy holidays and thank the gentleman from Georgia for his bipartisan reach to help us understand the impact of this bill.

Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. JEFFRIES), the incoming chair of the Democratic Caucus and the original cosponsor of this legislation. I thank him for his embrace of all of us as we worked our way through this legislation.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from Texas, SHEILA JACKSON LEE, for yielding and for her tremendous leadership on the criminal justice reform effort over the years.

I also want to thank all of the members of the House Judiciary Committee, in particular, Chairman GOODLATTE, as well as JERRY NADLER and, of course, CEDRIC RICHMOND and KAREN BASS, who were phenomenal assets to this effort.

Let me thank my good friend DOUG COLLINS, who has been a tremendous force of nature as it relates to making sure that this Congress did something about overcriminalization in America. From beginning, middle, and end, it has been an honor to work with Mr. COLLINS on a wide variety of things in this great body, in particular, on this effort to break the back of the prison industrial complex. I thank DOUG COLLINS for his tremendous leadership.

In 1971, President Nixon declared drug abuse public enemy number one. It was the beginning of the failed war on drugs.

At that point in time, there were less than 350,000 people incarcerated in America. Today, there are 2.2 million. We incarcerate more people in the United States of America than any other country in the world. We have 5 percent of the world's population and 25 percent of the world's incarcerated individuals.

It is a scandal. It is a stain on our democratic society. It is not a Democratic problem or a Republican problem; it is an American problem.

Today, the House of Representatives comes together as Americans to begin to solve it—Democrats and Republicans, the left and the right, progressives and conservatives, the National Urban League and the Koch brothers, the House and the Senate, as well as the Trump administration—proving that good things can happen under the Capitol dome when we set aside partisan bickering to solve problems on behalf of the American people.

And what a problem that we are endeavoring to solve with the First Step Act, making sure that currently incarcerated individuals, the victims of mass incarceration in this country, can successfully reenter society, transform themselves, become productive citizens; dramatically reduce recidivism; and save taxpayer dollars. That is what the First Step Act is all about.

It will also strike a blow against the unfair sentencing laws that were put into place as a result of the failed war on drugs and provide some retroactive relief to those individuals sentenced unjustly as a result of the disparity between crack cocaine and powder cocaine.

The First Step Act is a product of work that this body has decided to do out of recognition that we cannot allow overcriminalization to continue to persist in this country.

Now, the mass incarceration epidemic has been with us for over 40 years. It will not take simply the waving of a singular legislative magic wand to eradicate, but it will require sustained effort, sustained commitment, sustained intensity, and a meaningful first step.

That is what we are doing today. I urge all of my colleagues to support this effort to reform our criminal justice system in a manner consistent with the notion of liberty and justice for all.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I thank the gentleman for yielding.

One of the highlights of my being in Congress was getting a call from Ed Meese, asking if I would work with him on criminal justice reform. I was glad to do that.

It was amazing, having the ACLU and Heritage working together and groups working together, but more of our focus was on requiring intent to be proven before you could lock up people, take away their freedom, things like the 5,000 or so Federal crimes that allow violations of regulations that no elected official has ever participated in to be the basis for somebody losing their freedom. Those were important.

But that is not what this criminal justice reform bill is about. That is why some call it a jailbreak bill.

Under the bill, there are some good things, improvements on rehabilitation. I am glad that TED CRUZ' amendment passed in the Senate, so that violent carjackers are not going to be allowed to have a chance to have their time cut.

But there are 1,466 offenders relating to coercion, enticement of children into sex crimes, who will be eligible. There are 5,934 offenders relating to bank robbery involving violence or risk of death, and they will be eligible. There are others involving violence on officers, law enforcement officers.

Look, on behalf of the sheriffs, the prosecutors, people like me—I was a State felony judge—we worked very hard to come together on a proper sentence. Plea agreements were made for a lesser sentence.

The National Sheriffs' Association says it ''stands firmly opposed to this very dangerous bill.''

Crime rates will go up within 2 years, if this bill passes, which apparently it will, but somebody needed to state what is coming when we do this.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me take the tone of Mr. GOODLATTE, Mr. COLLINS, and Mr. JEFFRIES in saying that this is a momentous occasion. What I am grateful for, Mr. Speaker, is the faith community; the advocates who have been working with families for decades; mothers who welcome home sons and daughters; prisoners or ex-prisoners like those I met just a week ago at the Houston Reentry Program who indicated that they could not find a job; members of the Congressional Black Caucus; our present chair, Mr. RICHMOND; and our chair-elect, Ms. BASS.

People from all walks of life have recognized that this is not going to increase crime, but quite the opposite. Through our faith, we understand that humanity and the recognition of someone's dignity helps them to be a contributing member of society.

So I rise to support this bill that includes the First Step and the sentencing reform reduction act. I rise because so many people have worked over the years to ensure that this bill will work.

It is important to note what we are overcoming. The ACLU said: ''Over the past 4 to 5 decades, U.S. criminal justice policies have driven an increase in incarceration rates that is unprecedented in this country and unmatched elsewhere in the world. Our country has over 20 percent of the world's incarcerated individuals, despite having less than 5 percent of the world's population.''

In 2015, it was estimated that 6.7 million persons were involved in the adult correctional systems, and almost 2.2 million were in prisons or jail, 180,000 in the Federal system, all costing us money and the value of those human beings that can serve their country.

So I am grateful for the work that we came together on, that we overcame some of the challenges. I want to mention Mr. JOHN LEWIS, who is the conscience of this Congress, who worked with us to ensure that sentencing reform would be part of the ultimate bill.

□ 1130

We acknowledge other members of the other body, Senator DURBIN, Senator GRASSLEY, Senator HARRIS, and, of course, Senator BOOKER, among others. I thank Mr. GOODLATTE in his last bill for his commitment to moving criminal justice reform, even in the last Congress, and the new ranking member and soon to be chair, Mr. NADLER, who put all of his energies in ensuring that we could effectively move this bill.

We worked with Senator DURBIN, and we worked with Senator GRASSLEY, who wanted to make sure that this was a wonderful partnership, the same kind of partnership that my good friend, Mr. JEFFRIES, spoke of, conservative viewpoints, religious viewpoints, and those advocacy groups who had fought for years against mandatory minimums. We have come a long way.

Justice has to be equal, and it has to be fair. It has to be righteous and reasonable, and, in that, it has to have any number of those participating. Eric Holder, who worked on this issue, recognized that we had to have a partnership between these two fine elements: reduction, and, as well, the First Step Act, sentencing reduction. I know that this bill—and hope it will be signed, because the President indicated he wants the finest prison reform bill that we can have anywhere.

Let me proclaim on the floor that we have made that giant step, but we have added the opportunity for almost 5,000 people to see their families, under supervision, by sentencing reduction—over 50,000 over a 10-year period—not individuals who haven't had the opportunity for training, for job training, for counseling, for opioid treatment, all matched together with the sentencing and prison reform bill.

So we have elements like the safety valve and retroactive application of fair sentencing. To all of my friends in the advocacy community, you have been victorious, and I thank you. Reforms enhance mandatory minimum sentences for prior drug offenses, recognizing that the crack cocaine disparity was destructive in the work that we have tried to do—stacking.

Let me also say that there was concern that there be no oversight over this bill. I am glad that they took my amendment before an Independent Review Committee so that the discretion of wardens and the DOJ are not random, but they, in fact, will have an independent outside committee to look at this matter.

I am grateful that my friend, Mr. DANNY DAVIS, who has worked so hard, got his Second Chance Reauthorization in the bill, which is extremely important. I am so grateful, and you will hear from Congresswoman BASS for her ongoing passionate concern about the treatment of pregnant women, and I look forward to working with her in the future.

We have groups like the ACLU, The Brennan Group, the NAACP, and others who have worked hard on this type of legislation, and we are grateful for their continued insight and keeping us honest as we move forward.

I want to acknowledge, if I could, the idea, again, that there will be those who will be preying upon us. In this season of caring and giving, I hope the Nation will be praying, praying for a better Nation, praying for the opportunity for people who went astray, and to recognize that what we have put in this bill are limits to ensure that these persons released will have the right kind of training and counseling, because we have increased the funding, we have worked with the groups that need to be worked with, and we have protected pregnant prisoners.

And, finally, Mr. Speaker, something that I hope will grow in our compassion, that we have reformed an aspect of the criminal justice system as relates to juveniles, and, that is, that there is no more solitary confinement. I appreciate the sponsors accepting that from both myself and Senator BOOKER. It is a bill of compassion. It is not a bill of crime. It is a bill that America can be proud of.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), who has provided such leadership on this issue and many others for this Congress.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, Congress has spent years talking about reducing crime, enacting fair sentencing laws, and restoring lives. Today, we are putting our words into action, and this is historic.

I am proud to have been a leader in this effort for over a decade: First, introducing the original Second Chance Act with the gentleman from Illinois (Mr. DANNY K. DAVIS), then serving as chairman of the Over Criminalization Task Force in 2013, and introducing a comprehensive criminal justice reform bill with the gentleman from Virginia (Mr. SCOTT). This Congress, I sponsored the Second Chance Reauthorization Act, which helps prisoners rejoin their families and reenter society. I am happy to note that the First Step Act includes this reauthorization.

The Second Chance Act was originally passed with bipartisan support and signed into law in 2008. This first-of-its-kind legislation authorized Federal grants for vital programs aimed at improving the reentry process and reducing recidivism. Grants have been used for a wide range of improved supervision practices and reentry programs, including employment assistance and job skills training, treatment for mental and substance abuse disorders, education, housing assistance, family services, and mentoring.

Reauthorizing the Second Chance Act is an essential step to reducing our prison population and improving the overall criminal justice system. By providing the resources needed to coordinate reentry services and policies at the State and local levels, this legislation will ensure that the tax dollars spent on corrections do not simply fuel a revolving door in and out of prison. I urge my colleagues to support the First Step Act.

Ms. JACKSON LEE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BASS), the incoming chair of the Congressional Black Caucus and a member of the House Judiciary Committee.

Ms. BASS. Mr. Speaker, I rise in support of the First Step Act. For 40 years, our failure to adequately reform our criminal justice system has resulted in punitive mandatory minimum sentences and mass incarceration. African Americans, Latinos, and Native Americans have borne the brunt of this legacy.

Between 1980 and 2014, there was a 700 percent increase in the number of women in custody. This was nearly twice the rate of male imprisonment. Women are often held for nonviolent, low level drug offenses. Unfortunately, these women are entering a male-centered penal system that is not designed to meet their physical or mental health needs. What is needed is criminal justice reform that understands that women in the system have unique needs.

This is the first step toward addressing the needs of women. Improving the health outcomes of pregnant women who are in custody is in the First Step Act. My language would restrict the use of restraints on pregnant women, which increases the risk of complications during childbirth. Some of the stories shared by women who were restrained during pregnancy are horrific.

One woman was shackled in labor and dislocated her hip. She experienced

stomach muscle tears and an umbilical hernia. She was left with permanent deformities and pain. Another woman tripped over her shackles, fell to the ground, and miscarried at 20 weeks. The idea that a woman needs to be shackled at the end of her pregnancy or in labor and delivery as though she is going to escape while delivering a child is ridiculous, brutal, and, in my opinion, a human rights abuse.

One mother recounted being shackled after having an emergency caesarean section. She stated: ''With the weight [from the shackles] on my stomach, it felt like they were ripping open my C-section.''

Mr. Speaker, do we have no shame? This egregious abuse of human rights in Federal prisons must end. I hope Congress continues to address this issue. In the 116th Congress, we will continue to move the needle forward by developing comprehensive criminal justice reform that specifically looks at the needs of women in the system.

I thank the Members who supported this legislation, and I thank Representative JEFFRIES, Representative SHEILA JACKSON LEE, Representative COLLINS, and Representative NADLER for introducing and passing the First Step Act.

Mr. COLLINS of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RICHMOND), a gentleman who has become a friend on this issue, one that I remember sitting in Houston talking about this, and also to say, now it has become a reality.

Mr. RICHMOND. Mr. Speaker, I commend Representative COLLINS for success on this very important issue. Oftentimes people ask what is required of us, and it is to do justice and love mercy, and that is exactly what the First Step Act does.

Is it a perfect bill? No, it is not. Is it a first step? Yes, and it is a good first step. For too long, we have been passing the law of diminishing returns on our criminal justice system. Every dollar that we spend on incarceration actually makes our neighborhoods and our communities less safe.

So does this bill address the strained relationships between police and the communities that they serve? Yes. Does it address the criminalization of poverty? No, and it leaves many unjust sentences in place.

However, there is no doubt in my mind that this bill is a positive step in the right direction. It expands safety valve provisions that allow judges to block unfair sentences. It rolls back stacking rules that allow defendants to be charged with multiple crimes for a single incident. It prohibits the shackling of pregnant prisoners.

It would also provide $75 million per year for programming to help prisoners prepare for life after incarceration, and it will also allow early release to some prisoners who participate. More than 4,000 prisoners will be eligible for release under this program.

This bill also includes an amendment I introduced in the Judiciary Committee that will ensure that the prison reform provisions of the bill would apply retroactively to all prisoners sentenced after 1987. But what it does is it restores many of our family units and corrects the overcorrection we made during the crack epidemic in the early nineties.

And, also, what it does is send a message to the country that we realized our mistake in how we handled crack cocaine and substance abuse. And now we see the opioid epidemic, and we are adjusting our approach to that: more loving, more substance abuse, more of a mental health crisis when we talk about it, and we are going to go back and do the same for the cocaine and crack addiction.

So with that, let me thank all of the parties involved: Congressmen JEFFRIES, COLLINS, GOODLATTE, Ranking Member NADLER, SHEILA JACKSON LEE, and other committee members for bringing this legislation to the floor.

Mr. COLLINS of Georgia. Mr. Speaker, I inform the gentlewoman that we are ready to close at this time, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me quickly move to my closing by really reemphasizing happy holidays to the American people and to thank our colleagues for recognizing the humanity of all individuals.

Just in closing, imagine you are a mother, child, or loved one of an incarcerated person that was robbed by a system that played Russian roulette with his or her life, because that system decided they were criminals rather than victims of a public health crisis or of a bad start in life or a lack of resources as a child. This bill recognizes that people start life in many different ways, but they can be saved. They can be relevant. They can be with their families.

So I am grateful for the amendments added, the protection of juveniles that will not be in solitary confinement, and I am grateful for the Independent Review Committee that indicates that there will be an oversight on how wardens issue the earned good time and how they are treating those who are incarcerated, an Independent Review Committee in the Institute for Justice.

Finally, I would offer to say, we have money. And that money is at least a quarter of a billion dollars in terms of the amount of money that we will have over a period of time—some $250 million is the approximate amount, at least, in that figure that we have that will be invested in this particular bill.

Finally, a bill that has been around for a very long time, the Second Chance Act, has a new lease on life, and that will be part of the bill, and we will continue to work with our colleagues going forward to emphasize the redemption of those who are trying to do right.

Mr. Speaker, I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as we close up this debate, this is one of those times when I really come to this well and understand and discuss from this podium that those things we do here matter. There are so many times we pass paper around this floor, we pass it and talk about bills in terms of line numbers and what it will do here, the code numbers, but at the end of the day, this is one that actually has faces behind the line.

It has the faces of those who are currently incarcerated that now have a chance to have some programs so that when they do get out, they go home and are productive citizens.

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It has faces behind the lines of those right now who will be making mistakes, making bad choices even as we speak here on this floor, Mr. Speaker, but will have the opportunity to have a redemption in their life.

We have heard opposition, and there have been some others who have opposition. It has even been said, ''You are soft on crime; you are not helping law enforcement''; although, we have folks like the International Association of Chiefs of Police, Fraternal Order of Police, National Organization of Black Law Enforcement Executives, National District Attorneys Association, some that don't want to come on, and I understand that.

But I stand before you as a son of a Georgia State Trooper, someone who has been there when I watched my father go out and do his job when others didn't want to, when I know that this bill will help in the long run not only helping with not only the redemptive part, but also making sure that when people come out, they are not committing more crimes. When we are saving money and helping people, we are helping law enforcement do their job when we understand this.

I have also heard from others who have sort of dismissed the data from States that said that this is not something that is evidence based. It is working in conservative States. It is working in some liberal States, but it is working in places like Georgia and Texas and Oklahoma and Kentucky. This is where this works.

Some said, ''Well, we don't need to do anything because we need to punish them.'' Some are so looking backwards that all I will say to this is, Mr. Speaker, how is it working for us right now?

Over 50 percent of these folks are recidivizing a short time after getting out of prison. These are folks going back in and committing more crimes. If we can do something to stop that, then this is something worth standing for; this is worth the time and the effort.

When we come here today, we come here today to go back to the old principle that I said is about M and M,

money and morals, and that is the best place to be, Mr. Speaker.

I urge adoption of this act, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and concur in the Senate amendment to the House amendment to the bill, S. 756.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION ACT OF 2018

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7328) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7328

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

DIVISION A—PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION

SEC. 100. REFERENCES IN DIVISION.

Except as otherwise specified—

(1) amendments made by this division to a section or other provision of law are amendments to such section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.); and

(2) any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—STRENGTHENING THE NATIONAL HEALTH SECURITY STRATEGY

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

Section 2802 (42 U.S.C. 300hh–1) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''2014'' and inserting ''2018''; and

(ii) by striking the second sentence and inserting the following: ''Such National Health Security Strategy shall describe potential emergency health security threats and identify the process for achieving the preparedness goals described in subsection (b) to be prepared to identify and respond to such threats and shall be consistent with the national preparedness goal (as described in section 504(a)(19) of the Homeland Security Act of 2002), the National Incident Management System (as defined in section 501(7) of such Act), and the National Response Plan developed pursuant to section 504 of such Act, or any successor plan.'';

(B) in paragraph (2), by inserting before the period at the end of the second sentence the following: '', and an analysis of any changes to the evidence-based benchmarks and objective standards under sections 319C–1 and 319C–2''; and

(C) in paragraph (3)—

(i) by striking ''2009'' and inserting ''2022'';

(ii) by inserting ''(including gaps in the environmental health and animal health workforces, as applicable), describing the status of such workforce'' after ''gaps in such workforce'';

(iii) by striking ''and identifying strategies'' and inserting ''identifying strategies''; and

(iv) by inserting before the period at the end '', and identifying current capabilities to meet the requirements of section 2803''; and

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''and investigation'' and inserting ''investigation, and related information technology activities'';

(ii) in subparagraph (B), by striking ''and decontamination'' and inserting ''decontamination, relevant health care services and supplies, and transportation and disposal of medical waste''; and

(iii) by adding at the end the following:

''(E) Response to environmental hazards.'';

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''including mental health''

and inserting ''including pharmacies, mental health facilities,''; and

(ii) in subparagraph (F), by inserting ''or exposures to agents that could cause a public health emergency'' before the period;

(C) in paragraph (5), by inserting ''and other applicable compacts'' after ''Compact''; and

(D) by adding at the end the following:

''(9) ZOONOTIC DISEASE, FOOD, AND AGRICULTURE.—Improving coordination among Federal, State, local, tribal, and territorial entities (including through consultation with the Secretary of Agriculture) to prevent, detect, and respond to outbreaks of plant or animal disease (including zoonotic disease) that could compromise national security resulting from a deliberate attack, a naturally occurring threat, the intentional adulteration of food, or other public health threats, taking into account interactions between animal health, human health, and animals' and humans' shared environment as directly related to public health emergency preparedness and response capabilities, as applicable.

''(10) GLOBAL HEALTH SECURITY.—Assessing current or potential health security threats from abroad to inform domestic public health preparedness and response capabilities.''.

TITLE II—IMPROVING PREPAREDNESS AND RESPONSE

SEC. 201. IMPROVING BENCHMARKS AND STANDARDS FOR PREPAREDNESS AND RESPONSE.

(a) EVALUATING MEASURABLE EVIDENCE-BASED BENCHMARKS AND OBJECTIVE STANDARDS.—Section 319C–1 (42 U.S.C. 247d–3a) is amended by inserting after subsection (j) the following:

''(k) EVALUATION.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018 and every 2 years thereafter, the Secretary shall conduct an evaluation of the evidence-based benchmarks and objective standards required under subsection (g). Such evaluation shall be submitted to the congressional committees of jurisdiction together with the National Health Security Strategy under section 2802, at such time as such strategy is submitted.

''(2) CONTENT.—The evaluation under this paragraph shall include—

''(A) a review of evidence-based benchmarks and objective standards, and associated metrics and targets;

''(B) a discussion of changes to any evidence-based benchmarks and objective standards, and the effect of such changes on the ability to track whether entities are meeting or making progress toward the goals under this section and, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802;

''(C) a description of amounts received by eligible entities described in subsection (b) and section 319C–2(b), and amounts received by subrecipients and the effect of such funding on meeting evidence-based benchmarks and objective standards; and

''(D) recommendations, as applicable and appropriate, to improve evidence-based benchmarks and objective standards to more accurately assess the ability of entities receiving awards under this section to better achieve the goals under this section and section 2802.''.

(b) EVALUATING THE PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS.—Section 319C–2(i)(1) (42 U.S.C. 247–3b(i)(1)) is amended by striking ''section 319C–1(g), (i), and (j)'' and inserting ''section 319C–1(g), (i), (j), and (k)''.

SEC. 202. AMENDMENTS TO PREPAREDNESS AND RESPONSE PROGRAMS.

(a) COOPERATIVE AGREEMENT APPLICATIONS FOR IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.—Section 319C–1 (42 U.S.C. 247d–3a) is amended—

(1) in subsection (a), by inserting '', acting through the Director of the Centers for Disease Control and Prevention,'' after ''the Secretary''; and

(2) in subsection (b)(2)(A)—

(A) in clause (vi), by inserting '', including public health agencies with specific expertise that may be relevant to public health security, such as environmental health agencies,'' after ''stakeholders'';

(B) by redesignating clauses (vii) through (ix) as clauses (viii) through (x);

(C) by inserting after clause (vi) the following:

''(vii) a description of how, as applicable, such entity may integrate information to account for individuals with behavioral health needs following a public health emergency;'';

(D) in clause (ix), as so redesignated, by striking ''; and'' and inserting a semicolon; and

(E) by adding at the end the following:

''(xi) a description of how the entity will partner with health care facilities, including hospitals and nursing homes and other long-term care facilities, to promote and improve public health preparedness and response; and

''(xii) a description of how, as appropriate and practicable, the entity will include critical infrastructure partners, such as utility companies within the entity's jurisdiction, in planning pursuant to this subparagraph to help ensure that critical infrastructure will remain functioning during, or return to function as soon as practicable after, a public health emergency;''.

(b) EXCEPTION RELATING TO APPLICATION OF CERTAIN REQUIREMENTS.—

(1) IN GENERAL.—Section 319C–1(g) (42 U.S.C. 247d–3a(g)) is amended—

(A) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''Beginning with fiscal year 2009'' and inserting ''Beginning with fiscal year 2019''; and

(ii) in subparagraph (A)—

(I) by striking ''for the immediately preceding fiscal year'' and inserting ''for either of the 2 immediately preceding fiscal years''; and

(II) by striking ''2008'' and inserting ''2018''; and

(B) in paragraph (6), by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—The amounts described in this paragraph are the following amounts that are payable to an entity for activities described in this section or section 319C–2:

''(i) For no more than 1 of each of the first 2 fiscal years immediately following a fiscal year in which an entity experienced a failure described in subparagraph (A) or (B) of paragraph (5), an amount equal to 10 percent of the amount the entity was eligible to receive for the respective fiscal year.

''(ii) For no more than 1 of the first 2 fiscal years immediately following the third consecutive fiscal year in which an entity experienced such a failure, in lieu of applying clause (i), an amount equal to 15 percent of the amount the entity was eligible to receive for the respective fiscal year.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to cooperative agreements awarded on or after the date of enactment of this Act.

(c) PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a)—

(A) by inserting '', acting through the Assistant Secretary for Preparedness and Response,'' after ''The Secretary''; and

(B) by striking ''preparedness for public health emergencies'' and inserting ''preparedness for, and response to, public health emergencies in accordance with subsection (c)'';

(2) in subsection (b)(1)(A)—

(A) by striking ''partnership consisting of'' and inserting ''coalition that includes'';

(B) in clause (ii), by striking ''; and'' and inserting a semicolon; and

(C) by adding at the end the following:

''(iv) one or more emergency medical service organizations or emergency management organizations; and'';

(3) in subsection (d)—

(A) in paragraph (1)(B), by striking ''partnership'' each place it appears and inserting ''coalition''; and

(B) in paragraph (2)(C), by striking ''medical preparedness'' and inserting ''preparedness and response'';

(4) in subsection (f), by striking ''partnership'' and inserting ''coalition'';

(5) in subsection (g)(2)—

(A) by striking ''Partnerships'' and inserting ''Coalitions'';

(B) by striking ''partnerships'' and inserting ''coalitions''; and

(C) by inserting ''and response'' after ''preparedness''; and

(6) in subsection (i)(1)—

(A) by striking ''An entity'' and inserting ''A coalition''; and

(B) by striking ''such partnership'' and inserting ''such coalition''.

(d) PUBLIC HEALTH SECURITY GRANTS AUTHORIZATION OF APPROPRIATIONS.—Section 319C–1(h)(1)(A) (42 U.S.C. 247d–3a(h)(1)(A)) is amended by striking ''$641,900,000 for fiscal year 2014'' and all that follows through the period at the end and inserting ''$685,000,000 for each of fiscal years 2019 through 2023 for awards pursuant to paragraph (3) (subject to the authority of the Secretary to make awards pursuant to paragraphs (4) and (5)).''.

(e) PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS AUTHORIZATION OF APPROPRIATIONS.—Section 319C–2(j) (42 U.S.C. 247d–3b(j)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section and section 319C–3, in accordance with subparagraph (B), there is authorized to be appropriated $385,000,000 for each of fiscal years 2019 through 2023.

''(B) RESERVATION OF AMOUNTS FOR REGIONAL SYSTEMS.—

''(i) IN GENERAL.—Subject to clause (ii), of the amount appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 5 percent for the purpose of carrying out section 319C–3.

''(ii) RESERVATION CONTINGENT ON CONTINUED APPROPRIATIONS FOR THIS SECTION.—If for fiscal year 2019 or a subsequent fiscal year, the amount appropriated under subparagraph (A) is such that, after application of clause (i), the amount remaining for the purpose of carrying out this section would be less than the amount available for such purpose for the previous fiscal year, the amount that may be reserved under clause (i) shall be reduced such that the amount remaining for the purpose of carrying out this section is not less than the amount available for such purpose for the previous fiscal year.

''(iii) SUNSET.—The authority to reserve amounts under clause (i) shall expire on September 30, 2023.'';

(2) in paragraph (2), by striking ''paragraph (1) for a fiscal year'' and inserting ''paragraph (1)(A) for a fiscal year and not reserved

for the purpose described in paragraph (1)(B)(i)''; and

(3) in paragraph (3)(A), by striking ''paragraph (1) and not reserved under paragraph (2)'' and inserting ''paragraph (1)(A) and not reserved under paragraph (1)(B)(i) or (2)''.

SEC. 203. REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.

(a) IN GENERAL.—Part B of title III (42 U.S.C. 243 et seq.) is amended by inserting after section 319C–2 the following:

''SEC. 319C–3. GUIDELINES FOR REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.

''(a) PURPOSE.—It is the purpose of this section to identify and provide guidelines for regional systems of hospitals, health care facilities, and other public and private sector entities, with varying levels of capability to treat patients and increase medical surge capacity during, in advance of, and immediately following a public health emergency, including threats posed by one or more chemical, biological, radiological, or nuclear agents, including emerging infectious diseases.

''(b) GUIDELINES.—The Assistant Secretary for Preparedness and Response, in consultation with the Director of the Centers for Disease Control and Prevention, the Administrator of the Centers for Medicare & Medicaid Services, the Administrator of the Health Resources and Services Administration, the Commissioner of Food and Drugs, the Assistant Secretary for Mental Health and Substance Use, the Assistant Secretary of Labor for Occupational Safety and Health, the Secretary of Veterans Affairs, the heads of such other Federal agencies as the Secretary determines to be appropriate, and State, local, tribal, and territorial public health officials, shall, not later than 2 years after the date of enactment of this section—

''(1) identify and develop a set of guidelines relating to practices and protocols for all-hazards public health emergency preparedness and response for hospitals and health care facilities to provide appropriate patient care during, in advance of, or immediately following, a public health emergency, resulting from one or more chemical, biological, radiological, or nuclear agents, including emerging infectious diseases (which may include existing practices, such as trauma care and medical surge capacity and capabilities), with respect to—

''(A) a regional approach to identifying hospitals and health care facilities based on varying capabilities and capacity to treat patients affected by such emergency, including—

''(i) the manner in which the system will coordinate with and integrate the partnerships and health care coalitions established under section 319C–2(b); and

''(ii) informing and educating appropriate first responders and health care supply chain partners of the regional emergency preparedness and response capabilities and medical surge capacity of such hospitals and health care facilities in the community;

''(B) physical and technological infrastructure, laboratory capacity, staffing, blood supply, and other supply chain needs, taking into account resiliency, geographic considerations, and rural considerations;

''(C) protocols or best practices for the safety and personal protection of workers who handle human remains and health care workers (including with respect to protective equipment and supplies, waste management processes, and decontamination), sharing of specialized experience among the health care workforce, behavioral health, psychological resilience, and training of the workforce, as applicable;

''(D) in a manner that allows for disease containment (within the meaning of section 2802(b)(2)(B)), coordinated medical triage, treatment, and transportation of patients, based on patient medical need (including patients in rural areas), to the appropriate hospitals or health care facilities within the regional system or, as applicable and appropriate, between systems in different States or regions; and

''(E) the needs of children and other at-risk individuals;

''(2) make such guidelines available on the internet website of the Department of Health and Human Services in a manner that does not compromise national security; and

''(3) update such guidelines as appropriate, including based on input received pursuant to subsections (c) and (e) and information resulting from applicable reports required under the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018 (including any amendments made by such Act), to address new and emerging public health threats.

''(c) CONSIDERATIONS.—In identifying, developing, and updating guidelines under subsection (b), the Assistant Secretary for Preparedness and Response shall—

''(1) include input from hospitals and health care facilities (including health care coalitions under section 319C–2), State, local, tribal, and territorial public health departments, and health care or subject matter experts (including experts with relevant expertise in chemical, biological, radiological, or nuclear threats, including emerging infectious diseases), as the Assistant Secretary determines appropriate, to meet the goals under section 2802(b)(3);

''(2) consult and engage with appropriate health care providers and professionals, including physicians, nurses, first responders, health care facilities (including hospitals, primary care clinics, community health centers, mental health facilities, ambulatory care facilities, and dental health facilities), pharmacies, emergency medical providers, trauma care providers, environmental health agencies, public health laboratories, poison control centers, blood banks, tissue banks, and other experts that the Assistant Secretary determines appropriate, to meet the goals under section 2802(b)(3);

''(3) consider feedback related to financial implications for hospitals, health care facilities, public health agencies, laboratories, blood banks, tissue banks, and other entities engaged in regional preparedness planning to implement and follow such guidelines, as applicable; and

''(4) consider financial requirements and potential incentives for entities to prepare for, and respond to, public health emergencies as part of the regional health care emergency preparedness and response system.

''(d) TECHNICAL ASSISTANCE.—The Assistant Secretary for Preparedness and Response, in consultation with the Director of the Centers for Disease Control and Prevention and the Assistant Secretary of Labor for Occupational Safety and Health, may provide technical assistance and consultation toward meeting the guidelines described in subsection (b).

''(e) DEMONSTRATION PROJECT FOR REGIONAL HEALTH CARE PREPAREDNESS AND RESPONSE SYSTEMS.—

''(1) IN GENERAL.—The Assistant Secretary for Preparedness and Response may establish a demonstration project pursuant to the development and implementation of guidelines under subsection (b) to award grants to improve medical surge capacity for all hazards, build and integrate regional medical response capabilities, improve specialty care expertise for all-hazards response, and coordinate medical preparedness and response across State, local, tribal, territorial, and regional jurisdictions.

''(2) SUNSET.—The authority under this subsection shall expire on September 30, 2023.''.

(b) GAO REPORT TO CONGRESS.—

(1) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States (referred to in this subsection as the ''Comptroller General'') shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, a report on the extent to which hospitals and health care facilities have implemented the recommended guidelines under section 319C–3(b) of the Public Health Service Act (as added by subsection (a)), including an analysis and evaluation of any challenges hospitals or health care facilities experienced in implementing such guidelines.

(2) CONTENT.—The Comptroller General shall include in the report under paragraph (1)—

(A) data on the preparedness and response capabilities that have been informed by the guidelines under section 319C–3(b) of the Public Health Service Act to improve regional emergency health care preparedness and response capability, including hospital and health care facility capacity and medical surge capabilities to prepare for, and respond to, public health emergencies; and

(B) recommendations to reduce gaps in incentives for regional health partners, including hospitals and health care facilities, to improve capacity and medical surge capabilities to prepare for, and respond to, public health emergencies, consistent with subsection (a), which may include consideration of facilities participating in programs under section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) or in programs under the Centers for Medicare & Medicaid Services (including innovative health care delivery and payment models), and input from private sector financial institutions.

(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Comptroller General shall consult with the heads of appropriate Federal agencies, including—

(A) the Assistant Secretary for Preparedness and Response;

(B) the Director of the Centers for Disease Control and Prevention;

(C) the Administrator of the Centers for Medicare & Medicaid Services;

(D) the Assistant Secretary for Mental Health and Substance Use;

(E) the Assistant Secretary of Labor for Occupational Safety and Health; and

(F) the Secretary of Veterans Affairs.

(c) ANNUAL REPORTS.—Section 319C–2(i)(1) (42 U.S.C. 247d–3b(i)(1)) is amended by inserting after the first sentence the following: ''In submitting reports under this paragraph, a coalition shall include information on the progress that the coalition has made toward the implementation of section 319C–3 (or barriers to progress, if any).''.

(d) NATIONAL HEALTH SECURITY STRATEGY INCORPORATION OF REGIONALIZED EMERGENCY PREPAREDNESS AND RESPONSE.—Subparagraph (G) of section 2802(b)(3) (42 U.S.C. 300hh–1(b)(3)) is amended to read as follows:

''(G) Optimizing a coordinated and flexible approach to the emergency response and medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.''.

(e) IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.—

(1) STATE AND LOCAL SECURITY.—Section 319C–1(e) (42 U.S.C. 247d–3a(e)) is amended by striking '', and local emergency plans.'' and inserting '', local emergency plans, and any regional health care emergency preparedness and response system established pursuant to the applicable guidelines under section 319C–3.''.

(2) PARTNERSHIPS.—Section 319C–2(d)(1)(A) (42 U.S.C. 247d–3b(d)(1)(A)) is amended—

(A) in clause (i), by striking ''; and'' and inserting '';'';

(B) by redesignating clause (ii) as clause (iii); and

(C) inserting after clause (i), the following:

''(ii) among one or more facilities in a regional health care emergency system under section 319C–3; and''.

SEC. 204. MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS.

Title XII (42 U.S.C. 300d et seq.) is amended by adding at the end the following new part:

''PART I—MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS GRANT PROGRAM

''SEC. 1291. MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS GRANT PROGRAM.

''(a) MILITARY TRAUMA TEAM PLACEMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response and in consultation with the Secretary of Defense, shall award grants to not more than 20 eligible high acuity trauma centers to enable military trauma teams to provide, on a full-time basis, trauma care and related acute care at such trauma centers.

''(2) LIMITATIONS.—In the case of a grant awarded under paragraph (1) to an eligible high acuity trauma center, such grant—

''(A) shall be for a period of at least 3 years and not more than 5 years (and may be renewed at the end of such period); and

''(B) shall be in an amount that does not exceed $1,000,000 per year.

''(3) AVAILABILITY OF FUNDS.—Notwithstanding section 1552 of title 31, United States Code, or any other provision of law, funds available to the Secretary for obligation for a grant under this subsection shall remain available for expenditure for 100 days after the last day of the performance period of such grant.

''(b) MILITARY TRAUMA CARE PROVIDER PLACEMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response and in consultation with the Secretary of Defense, shall award grants to eligible trauma centers to enable military trauma care providers to provide trauma care and related acute care at such trauma centers.

''(2) LIMITATIONS.—In the case of a grant awarded under paragraph (1) to an eligible trauma center, such grant—

''(A) shall be for a period of at least 1 year and not more than 3 years (and may be renewed at the end of such period); and

''(B) shall be in an amount that does not exceed, in a year—

''(i) $100,000 for each military trauma care provider that is a physician at such eligible trauma center; and

''(ii) $50,000 for each other military trauma care provider at such eligible trauma center.

''(c) GRANT REQUIREMENTS.—

''(1) DEPLOYMENT AND PUBLIC HEALTH EMERGENCIES.—As a condition of receipt of a grant under this section, a grant recipient shall agree to allow military trauma care providers providing care pursuant to such grant to—

''(A) be deployed by the Secretary of Defense for military operations, for training, or for response to a mass casualty incident; and

''(B) be deployed by the Secretary of Defense, in consultation with the Secretary of Health and Human Services, for response to a public health emergency pursuant to section 319.

''(2) USE OF FUNDS.—Grants awarded under this section to an eligible trauma center may be used to train and incorporate military trauma care providers into such trauma center, including incorporation into operational exercises and training drills related to public health emergencies, expenditures for malpractice insurance, office space, information technology, specialty education and supervision, trauma programs, research, and applicable license fees for such military trauma care providers.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any other provision of law that preempts State licensing requirements for health care professionals, including with respect to military trauma care providers.

''(e) REPORTING REQUIREMENTS.—

''(1) REPORT TO THE SECRETARY AND THE SECRETARY OF DEFENSE.—Each eligible trauma center or eligible high acuity trauma center awarded a grant under subsection (a) or (b) for a year shall submit to the Secretary and the Secretary of Defense a report for such year that includes information on—

''(A) the number and types of trauma cases managed by military trauma teams or military trauma care providers pursuant to such grant during such year;

''(B) the ability to maintain the integration of the military trauma providers or teams of providers as part of the trauma center, including the financial effect of such grant on the trauma center;

''(C) the educational effect on resident trainees in centers where military trauma teams are assigned;

''(D) any research conducted during such year supported by such grant; and

''(E) any other information required by the Secretaries for the purpose of evaluating the effect of such grant.

''(2) REPORT TO CONGRESS.—Not less than once every 2 years, the Secretary, in consultation with the Secretary of Defense, shall submit a report to the congressional committees of jurisdiction that includes information on the effect of placing military trauma care providers in trauma centers awarded grants under this section on—

''(A) maintaining military trauma care providers' readiness and ability to respond to and treat battlefield injuries;

''(B) providing health care to civilian trauma patients in urban and rural settings;

''(C) the capability of trauma centers and military trauma care providers to increase medical surge capacity, including as a result of a large scale event;

''(D) the ability of grant recipients to maintain the integration of the military trauma providers or teams of providers as part of the trauma center;

''(E) efforts to incorporate military trauma care providers into operational exercises and training and drills for public health emergencies; and

''(F) the capability of military trauma care providers to participate as part of a medical response during or in advance of a public health emergency, as determined by the Secretary, or a mass casualty incident.

''(f) DEFINITIONS.—For purposes of this part:

''(1) ELIGIBLE TRAUMA CENTER.—The term 'eligible trauma center' means a Level I, II, or III trauma center that satisfies each of the following:

''(A) Such trauma center has an agreement with the Secretary of Defense to enable military trauma care providers to provide trauma care and related acute care at such trauma center.

''(B) Such trauma center utilizes a risk-adjusted benchmarking system and metrics to measure performance, quality, and patient outcomes.

''(C) Such trauma center demonstrates a need for integrated military trauma care providers to maintain or improve the trauma clinical capability of such trauma center.

''(2) ELIGIBLE HIGH ACUITY TRAUMA CENTER.—The term 'eligible high acuity trauma center' means a Level I trauma center that satisfies each of the following:

''(A) Such trauma center has an agreement with the Secretary of Defense to enable military trauma teams to provide trauma care and related acute care at such trauma center.

''(B) At least 20 percent of patients treated at such trauma center in the most recent 3-month period for which data are available are treated for a major trauma at such trauma center.

''(C) Such trauma center utilizes a risk-adjusted benchmarking system and metrics to measure performance, quality, and patient outcomes.

''(D) Such trauma center is an academic training center—

''(i) affiliated with a medical school;

''(ii) that maintains residency programs and fellowships in critical trauma specialties and subspecialties, and provides education and supervision of military trauma team members according to those specialties and subspecialties; and

''(iii) that undertakes research in the prevention and treatment of traumatic injury.

''(E) Such trauma center serves as a medical and public health preparedness and response leader for its community, such as by participating in a partnership for State and regional hospital preparedness established under section 319C–2 or 319C–3.

''(3) MAJOR TRAUMA.—The term 'major trauma' means an injury that is greater than or equal to 15 on the injury severity score.

''(4) MILITARY TRAUMA TEAM.—The term 'military trauma team' means a complete military trauma team consisting of military trauma care providers.

''(5) MILITARY TRAUMA CARE PROVIDER.—The term 'military trauma care provider' means a member of the Armed Forces who furnishes emergency, critical care, and other trauma acute care services (including a physician, surgeon, physician assistant, nurse, nurse practitioner, respiratory therapist, flight paramedic, combat medic, or enlisted medical technician) or other military trauma care provider as the Secretary determines appropriate.

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $11,500,000 for each of fiscal years 2019 through 2023.''.

SEC. 205. PUBLIC HEALTH AND HEALTH CARE SYSTEM SITUATIONAL AWARENESS AND BIOSURVEILLANCE CAPABILITIES.

(a) FACILITIES, CAPACITIES, AND BIOSURVEILLANCE CAPABILITIES.—Section 319D (42 U.S.C. 247d–4) is amended—

(1) in the section heading, by striking ''**REVITALIZING**'' and inserting ''**FACILITIES AND CAPACITIES OF**'';

(2) in subsection (a)—

(A) in the subsection heading, by striking ''FACILITIES; CAPACITIES'' and inserting ''IN GENERAL'';

(B) in paragraph (1), by striking ''and improved'' and inserting '', improved, and appropriately maintained'';

(C) in paragraph (3), in the matter preceding subparagraph (A), by striking ''expand, enhance, and improve'' and inserting

''expand, improve, enhance, and appropriately maintain''; and

(D) by adding at the end the following:

''(4) STUDY OF RESOURCES FOR FACILITIES AND CAPACITIES.—Not later than June 1, 2022, the Comptroller General of the United States shall conduct a study on Federal spending in fiscal years 2013 through 2018 for activities authorized under this subsection. Such study shall include a review and assessment of obligations and expenditures directly related to each activity under paragraphs (2) and (3), including a specific accounting of, and delineation between, obligations and expenditures incurred for the construction, renovation, equipping, and security upgrades of facilities and associated contracts under this subsection, and the obligations and expenditures incurred to establish and improve the situational awareness and biosurveillance network under subsection (b), and shall identify the agency or agencies incurring such obligations and expenditures.'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''NATIONAL'' and inserting ''ESTABLISHMENT OF SYSTEMS OF PUBLIC HEALTH'';

(B) in paragraph (1)(B), by inserting ''immunization information systems,'' after ''centers,''; and

(C) in paragraph (2)—

(i) by inserting ''develop a plan to, and'' after ''The Secretary shall''; and

(ii) by inserting ''and in a form readily usable for analytical approaches'' after ''in a secure manner''; and

(D) by amending paragraph (3) to read as follows:

''(3) STANDARDS.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Secretary, in cooperation with health care providers, State, local, tribal, and territorial public health officials, and relevant Federal agencies (including the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology), shall, as necessary, adopt technical and reporting standards, including standards for interoperability as defined by section 3000, for networks under paragraph (1) and update such standards as necessary. Such standards shall be made available on the internet website of the Department of Health and Human Services, in a manner that does not compromise national security.

''(B) DEFERENCE TO STANDARDS DEVELOPMENT ORGANIZATIONS.—In adopting and implementing standards under this subsection and subsection (c), the Secretary shall give deference to standards published by standards development organizations and voluntary consensus-based standards entities.'';

(4) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary'' and inserting ''The Secretary'';

(ii) by inserting '', and improve as applicable and appropriate,'' after ''shall establish'';

(iii) by striking ''of rapid'' and inserting ''of, rapid''; and

(iv) by striking ''such connectivity'' and inserting ''such interoperability'';

(B) by amending paragraph (2) to read as follows:

''(2) COORDINATION AND CONSULTATION.—In establishing and improving the network under paragraph (1) the Secretary shall—

''(A) facilitate coordination among agencies within the Department of Health and Human Services that provide, or have the potential to provide, information and data to, and analyses for, the situational awareness and biosurveillance network under paragraph (1), including coordination among relevant agencies related to health care services, the facilitation of health information exchange (including the Office of the National Coordinator for Health Information Technology), and public health emergency preparedness and response; and

''(B) consult with the Secretary of Agriculture, the Secretary of Commerce (and the Director of the National Institute of Standards and Technology), the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Veterans Affairs, and the heads of other Federal agencies, as the Secretary determines appropriate.'';

(C) in paragraph (3)—

(i) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and adjusting the margins accordingly;

(ii) in clause (iv), as so redesignated—

(I) by inserting ''immunization information systems,'' after ''poison control,''; and

(II) by striking ''and clinical laboratories'' and inserting '', clinical laboratories, and public environmental health agencies'';

(iii) by striking ''The network'' and inserting the following:

''(A) IN GENERAL.—The network''; and

(iv) by adding at the end the following:

''(B) REVIEW.—Not later than 2 years after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018 and every 6 years thereafter, the Secretary shall conduct a review of the elements described in subparagraph (A). Such review shall include a discussion of the addition of any elements pursuant to clause (v), including elements added to advancing new technologies, and identify any challenges in the incorporation of elements under subparagraph (A). The Secretary shall provide such review to the congressional committees of jurisdiction.'';

(D) in paragraph (5)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''In establishing'' and inserting the following:

''(A) IN GENERAL.—In establishing'';

(iii) by adding at the end the following:

''(B) PUBLIC MEETING.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Secretary shall convene a public meeting for purposes of discussing and providing input on the potential goals, functions, and uses of the network described in paragraph (1) and incorporating the elements described in paragraph (3)(A).

''(ii) EXPERTS.—The public meeting shall include representatives of relevant Federal agencies (including representatives from the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology); State, local, tribal, and territorial public health officials; stakeholders with expertise in biosurveillance and situational awareness; stakeholders with expertise in capabilities relevant to biosurveillance and situational awareness, such as experts in informatics and data analytics (including experts in prediction, modeling, or forecasting); and other representatives as the Secretary determines appropriate.

''(iii) TOPICS.—Such public meeting shall include a discussion of—

''(I) data elements, including minimal or essential data elements, that are voluntarily provided for such network, which may include elements from public health and public and private health care entities, to the extent practicable;

''(II) standards and implementation specifications that may improve the collection, analysis, and interpretation of data during a public health emergency;

''(III) strategies to encourage the access, exchange, and use of information;

''(IV) considerations for State, local, tribal, and territorial capabilities and infrastructure related to data exchange and interoperability;

''(V) privacy and security protections provided at the Federal, State, local, tribal, and territorial levels, and by nongovernmental stakeholders; and

''(VI) opportunities for the incorporation of innovative technologies to improve the network.''; and

(iv) in subparagraph (A), as so designated by clause (ii)—

(I) in clause (i), as so redesignated—

(aa) by striking ''as determined'' and inserting ''as adopted''; and

(bb) by inserting ''and the National Institute of Standards and Technology'' after ''Office of the National Coordinator for Health Information Technology'';

(II) in clause (iii), as so redesignated, by striking ''; and'' and inserting a semicolon;

(III) in clause (iv), as so redesignated, by striking the period and inserting ''; and''; and

(IV) by adding at the end the following:

''(v) pilot test standards and implementation specifications, consistent with the process described in section 3002(b)(3)(C), which State, local, tribal, and territorial public health entities may utilize, on a voluntary basis, as a part of the network.'';

(E) by redesignating paragraph (6) as paragraph (7);

(F) by inserting after paragraph (5) the following:

''(6) STRATEGY AND IMPLEMENTATION PLAN.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Secretary shall submit to the congressional committees of jurisdiction a coordinated strategy and an accompanying implementation plan that—

''(i) is informed by the public meeting under paragraph (5)(B);

''(ii) includes a review and assessment of existing capabilities of the network and related infrastructure, including input provided by the public meeting under paragraph (5)(B);

''(iii) identifies and demonstrates the measurable steps the Secretary will carry out to—

''(I) develop, implement, and evaluate the network described in paragraph (1), utilizing elements described in paragraph (3)(A);

''(II) modernize and enhance biosurveillance activities, including strategies to include innovative technologies and analytical approaches (including prediction and forecasting for pandemics and all-hazards) from public and private entities;

''(III) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services, including the identification of methods to improve accountability, better utilize resources and workforce capabilities, and incorporate innovative technologies within and across agencies; and

''(IV) test and evaluate capabilities of the interoperable network of systems to improve situational awareness and biosurveillance capabilities;

''(iv) includes performance measures and the metrics by which performance measures

will be assessed with respect to the measurable steps under clause (iii); and

''(v) establishes dates by which each measurable step under clause (iii) will be implemented.

''(B) ANNUAL BUDGET PLAN.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018 and on an annual basis thereafter, in accordance with the strategy and implementation plan under this paragraph, the Secretary shall, taking into account recommendations provided by the National Biodefense Science Board, develop a budget plan based on the strategy and implementation plan under this section. Such budget plan shall include—

''(i) a summary of resources previously expended to establish, improve, and utilize the nationwide public health situational awareness and biosurveillance network under paragraph (1);

''(ii) estimates of costs and resources needed to establish and improve the network under paragraph (1) according to the strategy and implementation plan under subparagraph (A);

''(iii) the identification of gaps and inefficiencies in nationwide public health situational awareness and biosurveillance capabilities, resources, and authorities needed to address such gaps; and

''(iv) a strategy to minimize and address such gaps and improve inefficiencies.'';

(G) in paragraph (7), as so redesignated—

(i) in subparagraph (A), by inserting ''(taking into account zoonotic disease, including gaps in scientific understanding of the interactions between human, animal, and environmental health)'' after ''human health'';

(ii) in subparagraph (B)—

(I) by inserting ''and gaps in surveillance programs'' after ''surveillance programs''; and

(II) by striking ''; and'' and inserting a semicolon;

(iii) in subparagraph (C)—

(I) by inserting '', animal health organizations related to zoonotic disease,'' after ''health care entities''; and

(II) by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) provide recommendations to the Secretary on policies and procedures to complete the steps described in this paragraph in a manner that is consistent with section 2802.''; and

(H) by adding at the end the following:

''(8) SITUATIONAL AWARENESS AND BIOSURVEILLANCE AS A NATIONAL SECURITY PRIORITY.—The Secretary, on a periodic basis as applicable and appropriate, shall meet with the Director of National Intelligence to inform the development and capabilities of the nationwide public health situational awareness and biosurveillance network.'';

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting ''environmental health agencies,'' after ''public health agencies,''; and

(ii) by inserting ''immunization programs,'' after ''poison control centers,''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding after subparagraph (C) the following:

''(D) an implementation plan that may include measurable steps to achieve the purposes described in paragraph (1).''; and

(C) by striking paragraph (5) and inserting the following:

''(5) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to States, localities, tribes, and territories or a consortium of States, localities, tribes, and territories receiving an award under this subsection regarding interoperability and the technical standards set forth by the Secretary.'';

(6) by redesignating subsections (f) and (g) as subsections (i) and (j), respectively; and

(7) by inserting after subsection (e) the following:

''(f) PERSONNEL AUTHORITIES.—

''(1) SPECIALLY QUALIFIED PERSONNEL.—In addition to any other personnel authorities, to carry out subsections (b) and (c), the Secretary may—

''(A) appoint highly qualified individuals to scientific or professional positions at the Centers for Disease Control and Prevention, not to exceed 30 such employees at any time (specific to positions authorized by this subsection), with expertise in capabilities relevant to biosurveillance and situational awareness, such as experts in informatics and data analytics (including experts in prediction, modeling, or forecasting), and other related scientific or technical fields; and

''(B) compensate individuals appointed under subparagraph (A) in the same manner and subject to the same terms and conditions in which individuals appointed under 9903 of title 5, United States Code, are compensated, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

''(2) LIMITATIONS.—The Secretary shall exercise the authority under paragraph (1) in a manner that is consistent with the limitations described in section 319F–1(e)(2).

''(g) TIMELINE.—The Secretary shall accomplish the purposes under subsections (b) and (c) no later than September 30, 2023, and shall provide a justification to the congressional committees of jurisdiction for any missed or delayed implementation of measurable steps identified under subsection (c)(6)(A)(iii).

''(h) INDEPENDENT EVALUATION.—Not later than 3 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Comptroller General of the United States shall conduct an independent evaluation and submit to the Secretary and the congressional committees of jurisdiction a report concerning the activities conducted under subsections (b) and (c), and provide recommendations, as applicable and appropriate, on necessary improvements to the biosurveillance and situational awareness network.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (i) of section 319D (42 U.S.C. 247d–4), as redesignated by subsection (a)(6), is amended by striking ''$138,300,000 for each of fiscal years 2014 through 2018'' and inserting ''$161,800,000 for each of fiscal years 2019 through 2023''.

(c) BIOLOGICAL THREAT DETECTION REPORT.—The Secretary of Health and Human Services shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security, not later than 180 days after the date of enactment of this Act, report to the Committee on Energy and Commerce, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives and the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate on the state of Federal biological threat detection efforts, including the following—

(1) an identification of technological, operational, and programmatic successes and failures of domestic detection programs supported by Federal departments and agencies for intentionally-introduced or accidentally-released biological threat agents and naturally occurring infectious diseases;

(2) a description of Federal efforts to facilitate the exchange of information related to the information described in paragraph (1) among Federal departments and agencies that utilize biological threat detection technology;

(3) a description of the capabilities of detection systems in use by Federal departments and agencies including the capability to—

(A) rapidly detect, identify, characterize, and confirm the presence of biological threat agents;

(B) recover live biological agents from collection devices;

(C) determine the geographical distribution of biological agents;

(D) determine the extent of environmental contamination and persistence of biological agents; and

(E) provide advanced molecular diagnostics to State, local, tribal, and territorial public health and other laboratories that support biological threat detection activities;

(4) a description of Federal interagency coordination related to biological threat detection;

(5) a description of efforts by Federal departments and agencies that utilize biological threat detection technology to collaborate with State, local, tribal, and territorial public health laboratories and other users of biological threat detection systems, including collaboration regarding the development of—

(A) biological threat detection requirements or standards;

(B) a standardized integration strategy;

(C) training requirements or guidelines;

(D) guidelines for a coordinated public health response, including preparedness capabilities, and, as applicable, for coordination with public health surveillance systems; and

(E) a coordinated environmental remediation plan, as applicable; and

(6) recommendations related to research, advanced research, development, and procurement for Federal departments and agencies to improve and enhance biological threat detection systems, including recommendations on the transfer of biological threat detection technology among Federal departments and agencies, as necessary and appropriate.

SEC. 206. STRENGTHENING AND SUPPORTING THE PUBLIC HEALTH EMERGENCY RAPID RESPONSE FUND.

Section 319 (42 U.S.C. 247d) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting ''or if the Secretary determines there is the significant potential for a public health emergency, to allow the Secretary to rapidly respond to the immediate needs resulting from such public health emergency or potential public health emergency'' before the period; and

(ii) by inserting ''The Secretary shall plan for the expedited distribution of funds to appropriate agencies and entities.'' after the first sentence;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) USES.—The Secretary may use amounts in the Fund established under paragraph (1), to—

''(A) facilitate coordination between and among Federal, State, local, tribal, and territorial entities and public and private health care entities that the Secretary determines may be affected by a public health

emergency or potential public health emergency referred to in paragraph (1) (including communication of such entities with relevant international entities, as applicable);

''(B) make grants, provide for awards, enter into contracts, and conduct supportive investigations pertaining to a public health emergency or potential public health emergency, including further supporting programs under section 319C–1, 319C–2, or 319C–3;

''(C) facilitate and accelerate, as applicable, advanced research and development of security countermeasures (as defined in section 319F–2), qualified countermeasures (as defined in section 319F–1), or qualified pandemic or epidemic products (as defined in section 319F–3), that are applicable to the public health emergency or potential public health emergency under paragraph (1);

''(D) strengthen biosurveillance capabilities and laboratory capacity to identify, collect, and analyze information regarding such public health emergency or potential public health emergency, including the systems under section 319D;

''(E) support initial emergency operations and assets related to preparation and deployment of intermittent disaster response personnel under section 2812 and the Medical Reserve Corps under section 2813; and

''(F) carry out other activities, as the Secretary determines applicable and appropriate.''; and

(D) by inserting after paragraph (3), as so redesignated, the following:

''(4) REVIEW.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Secretary, in coordination with the Assistant Secretary for Preparedness and Response, shall conduct a review of the Fund under this section and provide recommendations to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives on policies to improve such Fund for the uses described in paragraph (2).

''(5) GAO REPORT.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Comptroller General of the United States shall—

''(A) conduct a review of the Fund under this section, including its uses and the resources available in the Fund; and

''(B) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on such review, including recommendations related to such review, as applicable.''; and

(2) in subsection (c)—

(A) by inserting ''rapidly respond to public health emergencies or potential public health emergencies and'' after ''used to''; and

(B) by striking ''section.'' and inserting ''Act or funds otherwise provided for emergency response.''.

SEC. 207. IMPROVING ALL-HAZARDS PREPAREDNESS AND RESPONSE BY PUBLIC HEALTH EMERGENCY VOLUNTEERS.

(a) IN GENERAL.—Section 319I (42 U.S.C. 247d–7b) is amended—

(1) in the section heading, by striking ''**HEALTH PROFESSIONS VOLUNTEERS**'' and inserting ''**VOLUNTEER HEALTH PROFESSIONAL**'';

(2) in subsection (a), by adding at the end the following: ''Such health care professionals may include members of the National Disaster Medical System, members of the Medical Reserve Corps, and individual health care professionals.'';

(3) in subsection (i) by adding at the end ''In order to inform the development of such mechanisms by States, the Secretary shall make available information and material provided by States that have developed mechanisms to waive the application of licensing requirements to applicable health professionals seeking to provide medical services during a public health emergency. Such information shall be made publicly available in a manner that does not compromise national security.''; and

(4) in subsection (k) by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(b) ALL-HAZARDS PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE PLAN.—Section 319C–1(b)(2)(A)(iv) (42 U.S.C. 247d–3a(b)(2)(A)(iv)) is amended to read as follows:

''(iv) a description of the mechanism the entity will implement to utilize the Emergency Management Assistance Compact, or other mutual aid agreement, for medical and public health mutual aid, and, as appropriate, the activities such entity will implement pursuant to section 319I to improve enrollment and coordination of volunteer health care professionals seeking to provide medical services during a public health emergency, which may include—

''(I) providing a public method of communication for purposes of volunteer coordination (such as a phone number);

''(II) providing for optional registration to participate in volunteer services during processes related to State medical licensing, registration, or certification or renewal of such licensing, registration or certification; or

''(III) other mechanisms as the State determines appropriate;''.

SEC. 208. CLARIFYING STATE LIABILITY LAW FOR VOLUNTEER HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Title II (42 U.S.C. 202 et seq.) is amended by inserting after section 224 the following:

''SEC. 225. HEALTH CARE PROFESSIONALS ASSISTING DURING A PUBLIC HEALTH EMERGENCY.

''(a) LIMITATION ON LIABILITY.—Notwithstanding any other provision of law, a health care professional who is a member of the Medical Reserve Corps under section 2813 or who is included in the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I and who—

''(1) is responding—

''(A) to a public health emergency determined under section 319(a), during the initial period of not more than 90 days (as determined by the Secretary) of the public health emergency determination (excluding any period covered by a renewal of such determination); or

''(B) to a major disaster or an emergency as declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or under section 201 of the National Emergencies Act (50 U.S.C.1621) during the initial period of such declaration; and

''(2) is alleged to be liable for an act or omission—

''(A) during the initial period of a determination or declaration described in paragraph (1) and related to the treatment of individuals in need of health care services due to such public health emergency, major disaster, or emergency;

''(B) in the State or States for which such determination or declaration is made;

''(C) in the health care professional's capacity as a member of the Medical Reserve Corps or a professional included in the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I; and

''(D) in the course of providing services that are within the scope of the license, registration, or certification of the professional, as defined by the State of licensure, registration, or certification; and

''(3) prior to the rendering of such act or omission, was authorized by the State's authorization of deploying such State's Emergency System for Advance Registration of Volunteer Health Professionals described in section 319I or the Medical Reserve Corps established under section 2813, to provide health care services,

shall be subject only to the State liability laws of the State in which such act or omission occurred, in the same manner and to the same extent as a similar health care professional who is a resident of such State would be subject to such State laws, except with respect to the licensure, registration, and certification of such individual.

''(b) VOLUNTEER PROTECTION ACT.—Nothing in this section shall be construed to affect an individual's right to protections under the Volunteer Protection Act of 1997.

''(c) PREEMPTION.—This section shall supersede the laws of any State that would subject a health care professional described in subsection (a) to the liability laws of any State other than the State liability laws to which such individual is subject pursuant to such subsection.

''(d) DEFINITIONS.—In this section:

''(1) The term 'health care professional' means an individual licensed, registered, or certified under Federal or State laws or regulations to provide health care services.

''(2) The term 'health care services' means any services provided by a health care professional, or by any individual working under the supervision of a health care professional, that relate to—

''(A) the diagnosis, prevention, or treatment of any human disease or impairment; or

''(B) the assessment or care of the health of human beings.

''(e) EFFECTIVE DATE.—

''(1) IN GENERAL.—This section shall take effect 90 days after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018.

''(2) APPLICATION.—This section shall apply to a claim for harm only if the act or omission that caused such harm occurred on or after the effective date described in paragraph (1).''.

(b) GAO STUDY.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of—

(1) the number of health care providers who register under the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I of the Public Health Service Act (42 U.S.C. 247d–7b) in advance to provide services during a public health emergency;

(2) the number of health care providers who are credentialed to provide services during the period of a public health emergency declaration, including those who are credentialed though programs established in the Emergency System for Advance Registration of Volunteer Health Professionals under such section 319I and those credentialed by authorities within the State in which the emergency occurred;

(3) the average time to verify the credentials of a health care provider during the period of a public health emergency declaration, including the average time pursuant to the Emergency System for Advance Registration of Volunteer Health Professionals under such section 319I and for an individual's credentials to be verified by an authority within the State; and

(4) the Emergency System for Advance Registration of Volunteer Health Professionals program in States, including whether physician or medical groups, associations, or other relevant provider organizations utilize such program for purposes of volunteering during public health emergencies.

SEC. 209. REPORT ON ADEQUATE NATIONAL BLOOD SUPPLY.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report containing recommendations related to maintaining an adequate national blood supply, including—

(1) challenges associated with the continuous recruitment of blood donors (including those newly eligible to donate);

(2) ensuring the adequacy of the blood supply in the case of public health emergencies;

(3) implementation of the transfusion transmission monitoring system; and

(4) other measures to promote safety and innovation, such as the development, use, or implementation of new technologies, processes, and procedures to improve the safety and reliability of the blood supply.

SEC. 210. REPORT ON THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE CAPABILITIES AND CAPACITIES OF HOSPITALS, LONG-TERM CARE FACILITIES, AND OTHER HEALTH CARE FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into an agreement with an appropriate entity to conduct a study regarding the public health preparedness and response capabilities and medical surge capacities of hospitals, long-term care facilities, and other health care facilities to prepare for, and respond to, public health emergencies, including natural disasters.

(2) CONSULTATION.—In conducting the study under paragraph (1), the entity shall consult with Federal, State, local, tribal, and territorial public health officials (as appropriate), and health care providers and facilities with experience in public health preparedness and response activities.

(3) EVALUATION.—The study under paragraph (1) shall include—

(A) an evaluation of the current benchmarks and objective standards, as applicable, related to programs that support hospitals, long-term care facilities, and other health care facilities, and their effect on improving public health preparedness and response capabilities and medical surge capacities, including the Hospital Preparedness Program, the Public Health Emergency Preparedness cooperative agreements, and the Regional Health Care Emergency Preparedness and Response Systems under section 319C–3 of the Public Health Service Act (as added by section 203);

(B) the identification of gaps in preparedness, including with respect to such benchmarks and objective standards, such as those identified during recent public health emergencies, for hospitals, long-term care facilities, and other health care facilities to address future potential public health threats;

(C) an evaluation of coordination efforts between the recipients of Federal funding for programs described in subparagraph (A) and entities with expertise in emergency power systems and other critical infrastructure partners during a public health emergency, to ensure a functioning critical infrastructure, to the greatest extent practicable, during a public health emergency;

(D) an evaluation of coordination efforts between the recipients of Federal funding for programs described in subparagraph (A) and environmental health agencies with expertise in emergency preparedness and response planning for hospitals, long-term care facilities, and other health care facilities; and

(E) an evaluation of current public health preparedness and response capabilities and medical surge capacities related to at-risk individuals during public health emergencies, including an identification of gaps in such preparedness as they relate to such individuals.

(b) REPORT.—

(1) IN GENERAL.—The agreement under subsection (a) shall require the entity to submit to the Secretary of Health and Human Services and the congressional committees of jurisdiction, not later than 3 years after the date of enactment of this Act, a report on the results of the study conducted pursuant to this section.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) describe the findings and conclusions of the evaluation conducted pursuant to subsection (a); and

(B) provide recommendations for improving public health preparedness and response capability and medical surge capacity for hospitals, long-term care facilities, and other health care facilities, including—

(i) improving the existing benchmarks and objective standards for the Federal grant programs described in subsection (a)(3)(A) or developing new benchmarks and standards for such programs; and

(ii) identifying best practices for improving public health preparedness and response programs and medical surge capacity at hospitals, long-term care facilities, and other health care facilities, including recommendations for the evaluation under subparagraphs (C) and (D) of subsection (a)(3).

TITLE III—REACHING ALL COMMUNITIES

SEC. 301. STRENGTHENING AND ASSESSING THE EMERGENCY RESPONSE WORKFORCE.

(a) NATIONAL DISASTER MEDICAL SYSTEM.—

(1) STRENGTHENING THE NATIONAL DISASTER MEDICAL SYSTEM.—Clause (ii) of section 2812(a)(3)(A) (42 U.S.C. 300hh–11(a)(3)(A)) is amended to read as follows:

''(ii) be present at locations, and for limited periods of time, specified by the Secretary on the basis that the Secretary has determined that a location is at risk of a public health emergency during the time specified, or there is a significant potential for a public health emergency.''.

(2) REVIEW OF THE NATIONAL DISASTER MEDICAL SYSTEM.—Section 2812(b)(2) (42 U.S.C. 300hh–11(b)(2)) is amended to read as follows:

''(2) JOINT REVIEW AND MEDICAL SURGE CAPACITY STRATEGIC PLAN.—

''(A) REVIEW.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Secretary, in coordination with the Secretary of Homeland Security, the Secretary of Defense, and the Secretary of Veterans Affairs, shall conduct a joint review of the National Disaster Medical System. Such review shall include—

''(i) an evaluation of medical surge capacity, as described in section 2803(a);

''(ii) an assessment of the available workforce of the intermittent disaster response personnel described in subsection (c);

''(iii) the capacity of the workforce described in clause (ii) to respond to all hazards, including capacity to simultaneously respond to multiple public health emergencies and the capacity to respond to a nationwide public health emergency;

''(iv) the effectiveness of efforts to recruit, retain, and train such workforce; and

''(v) gaps that may exist in such workforce and recommendations for addressing such gaps.

''(B) UPDATES.—As part of the National Health Security Strategy under section 2802, the Secretary shall update the findings from the review under subparagraph (A) and provide recommendations to modify the policies of the National Disaster Medical System as necessary.''.

(3) NOTIFICATION OF SHORTAGE.—Section 2812(c) (42 U.S.C. 300hh–11(c)) is amended by adding at the end the following:

''(3) NOTIFICATION.—Not later than 30 days after the date on which the Secretary determines the number of intermittent disaster-response personnel of the National Disaster Medical System is insufficient to address a public health emergency or potential public health emergency, the Secretary shall submit to the congressional committees of jurisdiction a notification detailing—

''(A) the impact such shortage could have on meeting public health needs and emergency medical personnel needs during a public health emergency; and

''(B) any identified measures to address such shortage.

''(4) CERTAIN APPOINTMENTS.—

''(A) IN GENERAL.—If the Secretary determines that the number of intermittent disaster response personnel within the National Disaster Medical System under this section is insufficient to address a public health emergency or potential public health emergency, the Secretary may appoint candidates directly to personnel positions for intermittent disaster response within such system. The Secretary shall provide updates on the number of vacant or unfilled positions within such system to the congressional committees of jurisdiction each quarter for which this authority is in effect.

''(B) SUNSET.—The authority under this paragraph shall expire on September 30, 2021.''.

(4) AUTHORIZATION OF APPROPRIATIONS.—Section 2812(g) (42 U.S.C. 300hh–11(g)) is amended by striking ''$52,700,000 for each of fiscal years 2014 through 2018'' and inserting ''$57,400,000 for each of fiscal years 2019 through 2023''.

(b) VOLUNTEER MEDICAL RESERVE CORPS.—

(1) IN GENERAL.—Section 2813(a) (42 U.S.C. 42 U.S.C. 300hh–15(a)) is amended by striking the second sentence and inserting ''The Secretary may appoint a Director to head the Corps and oversee the activities of the Corps chapters that exist at the State, local, tribal, and territorial levels.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2813(i) (42 U.S.C. 300hh–15(i)) is amended by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(c) STRENGTHENING THE EPIDEMIC INTELLIGENCE SERVICE.—Section 317F (42 U.S.C. Sec. 247b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''or preparedness and response activities, including rapid response to public health emergencies and significant public health threats'' after ''conduct prevention activities''; and

(ii) by striking ''$35,000'' and inserting ''$50,000''; and

(B) in paragraph (2)(B), by striking ''3 years'' and inserting ''2 years''; and

(2) in subsection (c)—

(A) by striking ''For the purpose of carrying out this section'' and inserting the following:

''(1) IN GENERAL.—For the purpose of carrying out this section, except as described in paragraph (2)''; and

(B) by adding at the end the following:

''(2) EPIDEMIC INTELLIGENCE SERVICE PROGRAM.—For purposes of carrying out this section with respect to qualified health professionals serving in the Epidemic Intelligence Service, as authorized under section 317G,

there are authorized to be appropriated $1,000,000 for each of fiscal years 2019 through 2023.''.

(d) SERVICE BENEFIT FOR NATIONAL DISASTER MEDICAL SYSTEM VOLUNTEERS.—

(1) IN GENERAL.—Section 2812(c) (42 U.S.C. 300hh–11(c)), as amended by subsection (a)(3), is further amended by adding at the end the following:

''(5) SERVICE BENEFIT.—Individuals appointed to serve under this subsection shall be considered eligible for benefits under part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968. The Secretary shall provide notification to any eligible individual of any effect such designation may have on other benefits for which such individual is eligible, including benefits from private entities.''.

(2) PUBLIC SAFETY OFFICER BENEFITS.—Section 1204(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284(9)) is amended—

(A) in subparagraph (C)(ii), by striking ''or'' at the end;

(B) in subparagraph (D), by striking the period and inserting ''; or''; and

(C) by inserting after subparagraph (D) the following:

''(E) an individual appointed to the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) who is performing official duties of the Department of Health and Human Services, if those official duties are—

''(i) related to responding to a public health emergency or potential public health emergency, or other activities for which the Secretary of Health and Human Services has activated such National Disaster Medical System; and

''(ii) determined by the Secretary of Health and Human Services to be hazardous.''.

(3) SUNSET.—The amendments made by paragraphs (1) and (2) shall cease to have force or effect on October 1, 2021.

(e) MISSION READINESS REPORT TO CONGRESS.—

(1) REPORT.—Not later than one year after the date of enactment of this section, the Comptroller General of the United States (referred to in this subsection as the ''Comptroller General'') shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the medical surge capacity of the United States in the event of a public health emergency, including the capacity and capability of the current health care workforce to prepare for, and respond to the full range of public health emergencies or potential public health emergencies, and recommendations to address any gaps identified in such workforce.

(2) CONTENTS.—The Comptroller General shall include in the report under paragraph (1)—

(A) the number of health care providers who have volunteered to provide health care services during a public health emergency, including members of the National Disaster Medical System, the Disaster Medical Assistant Teams, the Medical Reserve Corps, and other volunteer health care professionals in the verification network pursuant to section 319I of the Public Health Service Act (42 U.S.C. 247d–7b);

(B) the capacity of the workforce described in subparagraph (A) to respond to a public health emergency or potential public health emergency, including the capacity to respond to multiple concurrent public health emergencies and the capacity to respond to a nationwide public health emergency;

(C) the preparedness and response capabilities and mission readiness of the workforce described in subparagraph (A) taking into account areas of health care expertise and considerations for at-risk individuals (as defined in section 2802(b)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh–1(b)(4)(B)));

(D) an assessment of the effectiveness of efforts to recruit, retain, and train such workforce; and

(E) identification of gaps that may exist in such workforce and recommendations for addressing such gaps, the extent to which the Assistant Secretary for Preparedness and Response plans to address such gaps, and any recommendations from the Comptroller General to address such gaps.

SEC. 302. HEALTH SYSTEM INFRASTRUCTURE TO IMPROVE PREPAREDNESS AND RESPONSE.

(a) COORDINATION OF PREPAREDNESS.—Section 2811(b)(5) (42 U.S.C. 300hh–10(b)(5)) is amended by adding at the end the following: ''Such logistical support shall include working with other relevant Federal, State, local, tribal, and territorial public health officials and private sector entities to identify the critical infrastructure assets, systems, and networks needed for the proper functioning of the health care and public health sectors that need to be maintained through any emergency or disaster, including entities capable of assisting with, responding to, and mitigating the effect of a public health emergency, including a public health emergency determined by the Secretary pursuant to section 319(a) or an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or the National Emergencies Act, including by establishing methods to exchange critical information and deliver products consumed or used to preserve, protect, or sustain life, health, or safety, and sharing of specialized expertise.''.

(b) MANUFACTURING CAPACITY.—Section 2811(d)(2)(C) (42 U.S.C. 300hh–10(d)(2)(C)) is amended by inserting '', and ancillary medical supplies to assist with the utilization of such countermeasures or products,'' after ''products''.

(c) EVALUATION OF BARRIERS TO RAPID DELIVERY OF MEDICAL COUNTERMEASURES.—

(1) RAPID DELIVERY STUDY.—The Assistant Secretary for Preparedness and Response may conduct a study on issues that have the potential to adversely affect the handling and rapid delivery of medical countermeasures to individuals during public health emergencies occurring in the United States.

(2) NOTICE TO CONGRESS.—Not later than 9 months after the date of the enactment of this Act, the Assistant Secretary for Preparedness and Response shall notify the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate if the Assistant Secretary for Preparedness and Response does not plan to conduct the study under paragraph (1) and shall provide such committees a summary explanation for such decision.

(3) REPORT TO CONGRESS.—Not later than 1 year after the Assistant Secretary for Preparedness and Response conducts the study under paragraph (1), such Assistant Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate containing the findings of such study.

SEC. 303. CONSIDERATIONS FOR AT-RISK INDIVIDUALS.

(a) AT-RISK INDIVIDUALS IN THE NATIONAL HEALTH SECURITY STRATEGY.—Section 2802(b)(4)(B) (42 U.S.C. 300hh–1(b)(4)(B)) is amended—

(1) by striking ''this section and sections 319C–1, 319F, and 319L,'' and inserting ''this Act,''; and

(2) by striking ''special'' and inserting ''access or functional''.

(b) COUNTERMEASURE CONSIDERATIONS.—Section 319L(c)(6) (42 U.S.C. 247d–7e(c)(6)) is amended—

(1) by striking ''elderly'' and inserting ''older adults''; and

(2) by inserting ''with relevant characteristics that warrant consideration during the process of researching and developing such countermeasures and products'' before the period.

(c) BIOSURVEILLANCE OF EMERGING PUBLIC HEALTH THREATS.—Section 2814 is amended—

(1) in paragraph (7), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (8), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(9) facilitate coordination to ensure that, in implementing the situational awareness and biosurveillance network under section 319D, the Secretary considers incorporating data and information from Federal, State, local, tribal, and territorial public health officials and entities relevant to detecting emerging public health threats that may affect at-risk individuals, such as pregnant and postpartum women and infants, including adverse health outcomes of such populations related to such emerging public health threats.''.

SEC. 304. IMPROVING EMERGENCY PREPAREDNESS AND RESPONSE CONSIDERATIONS FOR CHILDREN.

Part B of title III (42 U.S.C. 243 et seq.) is amended by inserting after section 319D the following:

''SEC. 319D–1. CHILDREN'S PREPAREDNESS UNIT.

''(a) ENHANCING EMERGENCY PREPAREDNESS FOR CHILDREN.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention (referred to in this subsection as the 'Director'), shall maintain an internal team of experts, to be known as the Children's Preparedness Unit (referred to in this subsection as the 'Unit'), to work collaboratively to provide guidance on the considerations for, and the specific needs of, children before, during, and after public health emergencies. The Unit shall inform the Director regarding emergency preparedness and response efforts pertaining to children at the Centers for Disease Control and Prevention.

''(b) EXPERTISE.—The team described in subsection (a) shall include one or more pediatricians, which may be a developmental-behavioral pediatrician, and may also include behavioral scientists, child psychologists, epidemiologists, biostatisticians, health communications staff, and individuals with other areas of expertise, as the Secretary determines appropriate.

''(c) DUTIES.—The team described in subsection (a) may—

''(1) assist State, local, tribal, and territorial emergency planning and response activities related to children, which may include developing, identifying, and sharing best practices;

''(2) provide technical assistance, training, and consultation to Federal, State, local, tribal, and territorial public health officials to improve preparedness and response capabilities with respect to the needs of children, including providing such technical assistance, training, and consultation to eligible entities in order to support the achievement of measurable evidence-based benchmarks and objective standards applicable to sections 319C–1 and 319C–2;

''(3) improve the utilization of methods to incorporate the needs of children in planning for and responding to a public health emergency, including public awareness of such methods;

''(4) coordinate with, and improve, public-private partnerships, such as health care coalitions pursuant to sections 319C–2 and 319C–3, to address gaps and inefficiencies in emergency preparedness and response efforts for children;

''(5) provide expertise and input during the development of guidance and clinical recommendations to address the needs of children when preparing for, and responding to, public health emergencies, including pursuant to section 319C–3; and

''(6) carry out other duties related to preparedness and response activities for children, as the Secretary determines appropriate.''.

SEC. 305. NATIONAL ADVISORY COMMITTEES ON DISASTERS.

(a) REAUTHORIZING THE NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.—Section 2811A (42 U.S.C. 300hh–10a) is amended—

(1) in subsection (b)(2), by inserting '', mental and behavioral,'' after ''medical'';

(2) in subsection (d)—

(A) in paragraph (1), by striking ''15'' and inserting ''25''; and

(B) by striking paragraph (2) and inserting the following:

''(2) REQUIRED NON-FEDERAL MEMBERS.—The Secretary, in consultation with such other heads of Federal agencies as may be appropriate, shall appoint to the Advisory Committee under paragraph (1) at least 13 individuals, including—

''(A) at least 2 non-Federal professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

''(B) at least 2 representatives from State, local, tribal, or territorial agencies with expertise in pediatric disaster planning, preparedness, response, or recovery;

''(C) at least 4 members representing health care professionals, which may include members with expertise in pediatric emergency medicine; pediatric trauma, critical care, or surgery; the treatment of pediatric patients affected by chemical, biological, radiological, or nuclear agents, including emerging infectious diseases; pediatric mental or behavioral health related to children affected by a public health emergency; or pediatric primary care; and

''(D) other members as the Secretary determines appropriate, of whom—

''(i) at least one such member shall represent a children's hospital;

''(ii) at least one such member shall be an individual with expertise in schools or child care settings;

''(iii) at least one such member shall be an individual with expertise in children and youth with special health care needs; and

''(iv) at least one such member shall be an individual with expertise in the needs of parents or family caregivers, including the parents or caregivers of children with disabilities.''.

''(3) FEDERAL MEMBERS.—The Advisory Committee under paragraph (1) shall include the following Federal members or their designees (who may be non-voting members, as determined by the Secretary):

''(A) The Assistant Secretary for Preparedness and Response.

''(B) The Director of the Biomedical Advanced Research and Development Authority.

''(C) The Director of the Centers for Disease Control and Prevention.

''(D) The Commissioner of Food and Drugs.

''(E) The Director of the National Institutes of Health.

''(F) The Assistant Secretary of the Administration for Children and Families.

''(G) The Administrator of the Health Resources and Services Administration.

''(H) The Administrator of the Federal Emergency Management Agency.

''(I) The Administrator of the Administration for Community Living.

''(J) The Secretary of Education.

''(K) Representatives from such Federal agencies (such as the Substance Abuse and Mental Health Services Administration and the Department of Homeland Security) as the Secretary determines appropriate to fulfill the duties of the Advisory Committee under subsections (b) and (c).''.

''(4) TERM OF APPOINTMENT.—Each member of the Advisory Committee appointed under paragraph (2) shall serve for a term of 3 years, except that the Secretary may adjust the terms of the Advisory Committee appointees serving on the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, or appointees who are initially appointed after such date of enactment, in order to provide for a staggered term of appointment for all members.

''(5) CONSECUTIVE APPOINTMENTS; MAXIMUM TERMS.—A member appointed under paragraph (2) may serve not more than 3 terms on the Advisory Committee, and not more than 2 of such terms may be served consecutively.'';

(3) in subsection (e), by adding at the end ''At least one meeting per year shall be an in-person meeting.'';

(4) by redesignating subsection (f) as subsection (g);

(5) by inserting after subsection (e) the following:

''(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.''; and

(6) in subsection (g), as so redesignated, by striking ''2018'' and inserting ''2023''.

(b) AUTHORIZING THE NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811A the following:

''SEC. 2811B. NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security and the Secretary of Veterans Affairs, shall establish an advisory committee to be known as the National Advisory Committee on Seniors and Disasters (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

''(2) evaluate and provide input with respect to the medical and public health needs of seniors related to preparation for, response to, and recovery from all-hazards emergencies; and

''(3) provide advice and consultation with respect to State emergency preparedness and response activities relating to seniors, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

''(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to seniors and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities under this title and title III.

''(d) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary, in consultation with such other heads of agencies as appropriate, shall appoint not more than 17 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Advisory Committee shall include Federal members or their designees (who may be non-voting members, as determined by the Secretary) and non-Federal members, as follows:

''(A) The Assistant Secretary for Preparedness and Response.

''(B) The Director of the Biomedical Advanced Research and Development Authority.

''(C) The Director of the Centers for Disease Control and Prevention.

''(D) The Commissioner of Food and Drugs.

''(E) The Director of the National Institutes of Health.

''(F) The Administrator of the Centers for Medicare & Medicaid Services.

''(G) The Administrator of the Administration for Community Living.

''(H) The Administrator of the Federal Emergency Management Agency.

''(I) The Under Secretary for Health of the Department of Veterans Affairs.

''(J) At least 2 non-Federal health care professionals with expertise in geriatric medical disaster planning, preparedness, response, or recovery.

''(K) At least 2 representatives of State, local, tribal, or territorial agencies with expertise in geriatric disaster planning, preparedness, response, or recovery.

''(L) Representatives of such other Federal agencies (such as the Department of Energy and the Department of Homeland Security) as the Secretary determines necessary to fulfill the duties of the Advisory Committee.

''(e) MEETINGS.—The Advisory Committee shall meet not less frequently than biannually. At least one meeting per year shall be an in-person meeting.

''(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.

''(g) SUNSET.—

''(1) IN GENERAL.—The Advisory Committee shall terminate on September 30, 2023.

''(2) EXTENSION OF COMMITTEE.—Not later than October 1, 2022, the Secretary shall submit to Congress a recommendation on whether the Advisory Committee should be extended.''.

(c) NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.), as amended by subsection (b), is further amended by inserting after section 2811B the following:

''SEC. 2811C. NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish a national advisory committee to be known as the National Advisory Committee on Individuals with Disabilities and Disasters (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and consultation with respect to activities carried out pursuant to section 2814, as applicable and appropriate;

''(2) evaluate and provide input with respect to the medical, public health, and accessibility needs of individuals with disabilities related to preparation for, response to, and recovery from all-hazards emergencies; and

''(3) provide advice and consultation with respect to State emergency preparedness and response activities, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary, in consultation with such other heads of agencies

and departments as appropriate, shall appoint not more than 17 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Advisory Committee shall include Federal members or their designees (who may be non-voting members, as determined by the Secretary) and non-Federal members, as follows:

''(A) The Assistant Secretary for Preparedness and Response.

''(B) The Administrator of the Administration for Community Living.

''(C) The Director of the Biomedical Advanced Research and Development Authority.

''(D) The Director of the Centers for Disease Control and Prevention.

''(E) The Commissioner of Food and Drugs.

''(F) The Director of the National Institutes of Health.

''(G) The Administrator of the Federal Emergency Management Agency.

''(H) The Chair of the National Council on Disability.

''(I) The Chair of the United States Access Board.

''(J) The Under Secretary for Health of the Department of Veterans Affairs.

''(K) At least 2 non-Federal health care professionals with expertise in disability accessibility before, during, and after disasters, medical and mass care disaster planning, preparedness, response, or recovery.

''(L) At least 2 representatives from State, local, tribal, or territorial agencies with expertise in disaster planning, preparedness, response, or recovery for individuals with disabilities.

''(M) At least 2 individuals with a disability with expertise in disaster planning, preparedness, response, or recovery for individuals with disabilities.

''(d) MEETINGS.—The Advisory Committee shall meet not less frequently than biannually. At least one meeting per year shall be an in-person meeting.

''(e) DISABILITY DEFINED.—For purposes of this section, the term 'disability' has the meaning given such term in section 3 of the Americans with Disabilities Act of 1990.

''(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.

''(g) SUNSET.—

''(1) IN GENERAL.—The Advisory Committee shall terminate on September 30, 2023.

''(2) RECOMMENDATION.—Not later than October 1, 2022, the Secretary shall submit to Congress a recommendation on whether the Advisory Committee should be extended.''.

(d) ADVISORY COMMITTEE COORDINATION.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.), as amended by subsection (c), is further amended by inserting after section 2811C the following:

''SEC. 2811D. ADVISORY COMMITTEE COORDINATION.

''(a) IN GENERAL.—The Secretary shall coordinate duties and activities authorized under sections 2811A, 2811B, and 2811C, and make efforts to reduce unnecessary or duplicative reporting, or unnecessary duplicative meetings and recommendations under such sections, as practicable. Members of the advisory committees authorized under such sections, or their designees, shall annually meet to coordinate any recommendations, as appropriate, that may be similar, duplicative, or overlapping with respect to addressing the needs of children, seniors, and individuals with disabilities during public health emergencies. If such coordination occurs through an in-person meeting, it shall not be considered the required in-person meetings under any of sections 2811A(e), 2811B(e), or 2811C(d).

''(b) COORDINATION AND ALIGNMENT.—The Secretary, acting through the employee designated pursuant to section 2814, shall align preparedness and response programs or activities to address similar, dual, or overlapping needs of children, seniors, and individuals with disabilities, and any challenges in preparing for and responding to such needs.

''(c) NOTIFICATION.—The Secretary shall annually notify the congressional committees of jurisdiction regarding the steps taken to coordinate, as appropriate, the recommendations under this section, and provide a summary description of such coordination.''.

SEC. 306. GUIDANCE FOR PARTICIPATION IN EXERCISES AND DRILLS.

Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final guidance regarding the ability of personnel funded by programs authorized under this Act (including the amendments made by this Act) to participate in drills and operational exercises related to all-hazards medical and public health preparedness and response. Such drills and operational exercises may include activities that incorporate medical surge capacity planning, medical countermeasure distribution and administration, and preparing for and responding to identified threats for that region. Such personnel may include State, local, tribal, and territorial public health department or agency personnel funded under this Act (including the amendments made by this Act). The Secretary shall consult with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies as necessary and appropriate in the development of such guidance. The Secretary shall make the guidance available on the internet website of the Department of Health and Human Services.

TITLE IV—PRIORITIZING A THREAT-BASED APPROACH

SEC. 401. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

Section 2811(b) (42 U.S.C. 300hh–10(b)) is amended—

(1) in the matter preceding paragraph (1) by inserting ''utilize experience related to public health emergency preparedness and response, biodefense, medical countermeasures, and other relevant topics to'' after ''shall''; and

(2) in paragraph (4) by adding at the end the following:

''(I) THREAT AWARENESS.—Coordinate with the Director of the Centers for Disease Control and Prevention, the Director of National Intelligence, the Secretary of Homeland Security, the Assistant to the President for National Security Affairs, the Secretary of Defense, and other relevant Federal officials, such as the Secretary of Agriculture, to maintain a current assessment of national security threats and inform preparedness and response capabilities based on the range of the threats that have the potential to result in a public health emergency.''.

SEC. 402. PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE.

(a) IN GENERAL.—Title XXVIII is amended by inserting after section 2811 (42 U.S.C. 300hh–10) the following:

''SEC. 2811–1. PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE.

''(a) IN GENERAL.—The Secretary shall establish the Public Health Emergency Medical Countermeasures Enterprise (referred to in this section as the 'PHEMCE'). The Assistant Secretary for Preparedness and Response shall serve as chair of the PHEMCE.

''(b) MEMBERS.—The PHEMCE shall include each of the following members, or the designee of such members:

''(1) The Assistant Secretary for Preparedness and Response.

''(2) The Director of the Centers for Disease Control and Prevention.

''(3) The Director of the National Institutes of Health.

''(4) The Commissioner of Food and Drugs.

''(5) The Secretary of Defense.

''(6) The Secretary of Homeland Security.

''(7) The Secretary of Agriculture.

''(8) The Secretary of Veterans Affairs.

''(9) The Director of National Intelligence.

''(10) Representatives of any other Federal agency, which may include the Director of the Biomedical Advanced Research and Development Authority, the Director of the Strategic National Stockpile, the Director of the National Institute of Allergy and Infectious Diseases, and the Director of the Office of Public Health Preparedness and Response, as the Secretary determines appropriate.

''(c) FUNCTIONS.—

''(1) IN GENERAL.—The functions of the PHEMCE shall include the following:

''(A) Utilize a process to make recommendations to the Secretary regarding research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization with respect to countermeasures, as defined in section 319F–2(c), including prioritization based on the health security needs of the United States. Such recommendations shall be informed by, when available and practicable, the National Health Security Strategy pursuant to section 2802, the Strategic National Stockpile needs pursuant to section 319F–2, and assessments of current national security threats, including chemical, biological, radiological, and nuclear threats, including emerging infectious diseases. In the event that members of the PHEMCE do not agree upon a recommendation, the Secretary shall provide a determination regarding such recommendation.

''(B) Identify national health security needs, including gaps in public health preparedness and response related to countermeasures and challenges to addressing such needs (including any regulatory challenges), and support alignment of countermeasure procurement with recommendations to address such needs under subparagraph (A).

''(C) Assist the Secretary in developing strategies related to logistics, deployment, distribution, dispensing, and use of countermeasures that may be applicable to the activities of the strategic national stockpile under section 319F–2(a).

''(D) Provide consultation for the development of the strategy and implementation plan under section 2811(d).

''(2) INPUT.—In carrying out subparagraphs (B) and (C) of paragraph (1), the PHEMCE shall solicit and consider input from State, local, tribal, and territorial public health departments or officials, as appropriate.''.

(b) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—Section 2811(d) (42 U.S.C. 300hh–10(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''Not later than 180 days after the date of enactment of this subsection, and every year thereafter'' and inserting ''Not later than March 15, 2020, and biennially thereafter''; and

(B) by striking ''Director of the Biomedical'' and all that follows through ''Food and Drugs'' and inserting ''Public Health Emergency Medical Countermeasures Enterprise established under section 2811–1''; and

(2) in paragraph (2)(J)(v), by striking ''one-year period'' and inserting ''2-year period''.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

(a) IN GENERAL.—Section 319F–2(a) (42 U.S.C. 247d–6b(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) in paragraph (1)—

(A) by inserting ''the Assistant Secretary for Preparedness and Response and'' after ''collaboration with'';

(B) by inserting ''and optimize'' after ''provide for'';

(C) by inserting ''and, as informed by existing recommendations of, or consultations with, the Public Health Emergency Medical Countermeasure Enterprise established under section 2811–1, make necessary additions or modifications to the contents of such stockpile or stockpiles based on the review conducted under paragraph (2)'' before the period of the first sentence; and

(D) by striking the second sentence;

(3) by inserting after paragraph (1) the following:

''(2) THREAT-BASED REVIEW.—

''(A) IN GENERAL.—The Secretary shall conduct an annual threat-based review (taking into account at-risk individuals) of the contents of the stockpile under paragraph (1), including non-pharmaceutical supplies, and, in consultation with the Public Health Emergency Medical Countermeasures Enterprise established under section 2811–1, review contents within the stockpile and assess whether such contents are consistent with the recommendations made pursuant to section 2811–1(c)(1)(A). Such review shall be submitted on June 15, 2019, and on March 15 of each year thereafter, to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives, in a manner that does not compromise national security.

''(B) ADDITIONS, MODIFICATIONS, AND REPLENISHMENTS.—Each annual threat-based review under subparagraph (A) shall, for each new or modified countermeasure procurement or replenishment, provide—

''(i) information regarding—

''(I) the quantities of the additional or modified countermeasure procured for, or contracted to be procured for, the stockpile;

''(II) planning considerations for appropriate manufacturing capacity and capability to meet the goals of such additions or modifications (without disclosing proprietary information), including consideration of the effect such additions or modifications may have on the availability of such products and ancillary medical supplies in the health care system;

''(III) the presence or lack of a commercial market for the countermeasure at the time of procurement;

''(IV) the emergency health security threat or threats such countermeasure procurement is intended to address, including whether such procurement is consistent with meeting emergency health security needs associated with such threat or threats;

''(V) an assessment of whether the emergency health security threat or threats described in subclause (IV) could be addressed in a manner that better utilizes the resources of the stockpile and permits the greatest possible increase in the level of emergency preparedness to address such threats;

''(VI) whether such countermeasure is replenishing an expiring or expired countermeasure, is a different countermeasure with the same indication that is replacing an expiring or expired countermeasure, or is a new addition to the stockpile;

''(VII) a description of how such additions or modifications align with projected investments under previous countermeasures budget plans under section 2811(b)(7), including expected life-cycle costs, expenditures related to countermeasure procurement to address the threat or threats described in subclause (IV), replenishment dates (including the ability to extend the maximum shelf life of a countermeasure), and the manufacturing capacity required to replenish such countermeasure; and

''(VIII) appropriate protocols and processes for the deployment, distribution, or dispensing of the countermeasure at the State and local level, including plans for relevant capabilities of State and local entities to dispense, distribute, and administer the countermeasure; and

''(ii) an assurance, which need not be provided in advance of procurement, that for each countermeasure procured or replenished under this subsection, the Secretary completed a review addressing each item listed under this subsection in advance of such procurement or replenishment.'';

(4) in paragraph (3), as so redesignated—

(A) in subparagraph (A), by inserting ''and the Public Health Emergency Medical Countermeasures Enterprise established under section 2811–1'' before the semicolon;

(B) in subparagraph (C), by inserting '', and the availability, deployment, dispensing, and administration of countermeasures'' before the semicolon;

(C) by amending subparagraph (E) to read as follows:

''(E) devise plans for effective and timely supply-chain management of the stockpile, in consultation with the Director of the Centers for Disease Control and Prevention, the Assistant Secretary for Preparedness and Response, the Secretary of Transportation, the Secretary of Homeland Security, the Secretary of Veterans Affairs, and the heads of other appropriate Federal agencies; State, local, tribal, and territorial agencies; and the public and private health care infrastructure, as applicable, taking into account the manufacturing capacity and other available sources of products and appropriate alternatives to supplies in the stockpile;'';

(D) in subparagraph (G), by striking ''; and'' and inserting a semicolon;

(E) in subparagraph (H), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

''(I) ensure that each countermeasure or product under consideration for procurement pursuant to this subsection receives the same consideration regardless of whether such countermeasure or product receives or had received funding under section 319L, including with respect to whether the countermeasure or product is most appropriate to meet the emergency health security needs of the United States; and

''(J) provide assistance, including technical assistance, to maintain and improve State and local public health preparedness capabilities to distribute and dispense medical countermeasures and products from the stockpile, as appropriate.''; and

(5) by adding at the end the following:

''(5) GAO REPORT.—

''(A) IN GENERAL.—Not later than 3 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, and every 5 years thereafter, the Comptroller General of the United States shall conduct a review of any changes to the contents or management of the stockpile since January 1, 2015. Such review shall include—

''(i) an assessment of the comprehensiveness and completeness of each annual threat-based review under paragraph (2), including whether all newly procured or replenished countermeasures within the stockpile were described in each annual review, and whether, consistent with paragraph (2)(B), the Secretary conducted the necessary internal review in advance of such procurement or replenishment;

''(ii) an assessment of whether the Secretary established health security and science-based justifications, and a description of such justifications for procurement decisions related to health security needs with respect to the identified threat, for additions or modifications to the stockpile based on the information provided in such reviews under paragraph (2)(B), including whether such review was conducted prior to procurement, modification, or replenishment;

''(iii) an assessment of the plans developed by the Secretary for the deployment, distribution, and dispensing of countermeasures procured, modified, or replenished under paragraph (1), including whether such plans were developed prior to procurement, modification, or replenishment;

''(iv) an accounting of countermeasures procured, modified, or replenished under paragraph (1) that received advanced research and development funding from the Biomedical Advanced Research and Development Authority;

''(v) an analysis of how such procurement decisions made progress toward meeting emergency health security needs related to the identified threats for countermeasures added, modified, or replenished under paragraph (1);

''(vi) a description of the resources expended related to the procurement of countermeasures (including additions, modifications, and replenishments) in the stockpile, and how such expenditures relate to the ability of the stockpile to meet emergency health security needs;

''(vii) an assessment of the extent to which additions, modifications, and replenishments reviewed under paragraph (2) align with previous relevant reports or reviews by the Secretary or the Comptroller General;

''(viii) with respect to any change in the Federal organizational management of the stockpile, an assessment and comparison of the processes affected by such change, including planning for potential countermeasure deployment, distribution, or dispensing capabilities and processes related to procurement decisions, use of stockpiled countermeasures, and use of resources for such activities; and

''(ix) an assessment of whether the processes and procedures described by the Secretary pursuant to section 403(b) of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018 are sufficient to ensure countermeasures and products under consideration for procurement pursuant to subsection (a) receive the same consideration regardless of whether such countermeasures and products receive or had received funding under section 319L, including with respect to whether such countermeasures and products are most appropriate to meet the emergency health security needs of the United States.

''(B) SUBMISSION.—Not later than 6 months after completing a classified version of the review under subparagraph (A), the Comptroller General shall submit an unclassified version of the review to the congressional committees of jurisdiction.''.

(b) ADDITIONAL REPORTING.—In the first threat-based review submitted after the date of enactment of this Act pursuant to paragraph (2) of section 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(a)), as amended by subsection (a), the Secretary shall include a description of the processes and procedures through which the Director of Strategic National Stockpile and the Director of the Biomedical Advanced Research and Development Authority coordinate with

respect to countermeasures and products procured under such section 319F–2(a), including such processes and procedures in place to ensure countermeasures and products under consideration for procurement pursuant to such section 319F–2(a) receive the same consideration regardless of whether such countermeasures or products receive or had received funding under section 319L of the Public Health Service Act (42 U.S.C. 247d–7e), and whether such countermeasures and products are the most appropriate to meet the emergency health security needs of the United States.

(c) AUTHORIZATION OF APPROPRIATIONS, STRATEGIC NATIONAL STOCKPILE.—Section 319F–2(f)(1) (42 U.S.C. 247d–6b(f)(1)) is amended by striking ''$533,800,000 for each of fiscal years 2014 through 2018'' and inserting ''$610,000,000 for each of fiscal years 2019 through 2023, to remain available until expended''.

SEC. 404. PREPARING FOR PANDEMIC INFLUENZA, ANTIMICROBIAL RESISTANCE, AND OTHER SIGNIFICANT THREATS.

(a) STRATEGIC INITIATIVES.—Section 319L(c)(4) (247d–7e(c)(4)) is amended by adding at the end the following:

''(F) STRATEGIC INITIATIVES.—The Secretary, acting through the Director of BARDA, may implement strategic initiatives, including by building on existing programs and by awarding contracts, grants, and cooperative agreements, or entering into other transactions, to support innovative candidate products in preclinical and clinical development that address priority, naturally occurring and man-made threats that, as determined by the Secretary, pose a significant level of risk to national security based on the characteristics of a chemical, biological, radiological or nuclear threat, or existing capabilities to respond to such a threat (including medical response and treatment capabilities and manufacturing infrastructure). Such initiatives shall accelerate and support the advanced research, development, and procurement of, countermeasures and products, as applicable, to address areas including—

''(i) chemical, biological, radiological, or nuclear threats, including emerging infectious diseases, for which insufficient approved, licensed, or authorized countermeasures exist, or for which such threat, or the result of an exposure to such threat, may become resistant to countermeasures or existing countermeasures may be rendered ineffective;

''(ii) threats that consistently exist or continually circulate and have a significant potential to become a pandemic, such as pandemic influenza, which may include the advanced research and development, manufacturing, and appropriate stockpiling of qualified pandemic or epidemic products, and products, technologies, or processes to support the advanced research and development of such countermeasures (including multiuse platform technologies for diagnostics, vaccines, and therapeutics; virus seeds; clinical trial lots; novel virus strains; and antigen and adjuvant material); and

''(iii) threats that may result primarily or secondarily from a chemical, biological, radiological, or nuclear agent, or emerging infectious diseases, and which may present increased treatment complications such as the occurrence of resistance to available countermeasures or potential countermeasures, including antimicrobial resistant pathogens.''.

(b) PROTECTION OF NATIONAL SECURITY FROM THREATS.—Section 2811 (42 U.S.C. 300hh–10) is amended by adding at the end the following:

''(f) PROTECTION OF NATIONAL SECURITY FROM THREATS.—

''(1) IN GENERAL.—In carrying out subsection (b)(3), the Assistant Secretary for Preparedness and Response shall implement strategic initiatives or activities to address threats, including pandemic influenza and which may include a chemical, biological, radiological, or nuclear agent (including any such agent with a significant potential to become a pandemic), that pose a significant level of risk to public health and national security based on the characteristics of such threat. Such initiatives shall include activities to—

''(A) accelerate and support the advanced research, development, manufacturing capacity, procurement, and stockpiling of countermeasures, including initiatives under section 319L(c)(4)(F);

''(B) support the development and manufacturing of virus seeds, clinical trial lots, and stockpiles of novel virus strains; and

''(C) maintain or improve preparedness activities, including for pandemic influenza.

''(2) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—To carry out this subsection, there is authorized to be appropriated $250,000,000 for each of fiscal years 2019 through 2023.

''(B) SUPPLEMENT, NOT SUPPLANT.—Amounts appropriated under this paragraph shall be used to supplement and not supplant funds provided under sections 319L(d) and 319F–2(g).

''(C) DOCUMENTATION REQUIRED.—The Assistant Secretary for Preparedness and Response, in accordance with subsection (b)(7), shall document amounts expended for purposes of carrying out this subsection, including amounts appropriated under the heading 'Public Health and Social Services Emergency Fund' under the heading 'Office of the Secretary' under title II of division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141) and allocated to carrying out section 319L(c)(4)(F).''.

SEC. 405. REPORTING ON THE FEDERAL SELECT AGENT PROGRAM.

Section 351A(k) (42 U.S.C. 262a(k)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) IMPLEMENTATION OF RECOMMENDATIONS OF THE FEDERAL EXPERTS SECURITY ADVISORY PANEL AND THE FAST TRACK ACTION COMMITTEE ON SELECT AGENT REGULATIONS.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, the Secretary shall report to the congressional committees of jurisdiction on the implementation of recommendations of the Federal Experts Security Advisory Panel concerning the select agent program.

''(B) CONTINUED UPDATES.—The Secretary shall report to the congressional committees of jurisdiction annually following the submission of the report under subparagraph (A) until the recommendations described in such subparagraph are fully implemented, or a justification is provided for the delay in, or lack of, implementation.''.

TITLE V—INCREASING COMMUNICATION IN MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 501. MEDICAL COUNTERMEASURE BUDGET PLAN.

Section 2811(b)(7) (42 U.S.C. 300hh–10(b)(7)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''March 1'' and inserting ''March 15'';

(2) in subparagraph (A)—

(A) in clause (ii), by striking ''; and'' and inserting '';''; and

(B) by striking clause (iii) and inserting the following:

''(iii) procurement, stockpiling, maintenance, and potential replenishment (including manufacturing capabilities) of all products in the Strategic National Stockpile;

''(iv) the availability of technologies that may assist in the advanced research and development of countermeasures and opportunities to use such technologies to accelerate and navigate challenges unique to countermeasure research and development; and

''(v) potential deployment, distribution, and utilization of medical countermeasures; development of clinical guidance and emergency use instructions for the use of medical countermeasures; and, as applicable, potential post-deployment activities related to medical countermeasures;'';

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(4) by inserting after subparagraph (C), the following:

''(D) identify the full range of anticipated medical countermeasure needs related to research and development, procurement, and stockpiling, including the potential need for indications, dosing, and administration technologies, and other countermeasure needs as applicable and appropriate;''.

SEC. 502. MATERIAL THREAT AND MEDICAL COUNTERMEASURE NOTIFICATIONS.

(a) CONGRESSIONAL NOTIFICATION OF MATERIAL THREAT DETERMINATION.—Section 319F–2(c)(2)(C) (42 U.S.C. 247d–6b(c)(2)(C)) is amended by striking ''The Secretary and the Homeland Security Secretary shall promptly notify the appropriate committees of Congress'' and inserting ''The Secretary and the Secretary of Homeland Security shall send to Congress, on an annual basis, all current material threat determinations and shall promptly notify the Committee on Health, Education, Labor, and Pensions and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives''.

(b) CONTRACTING COMMUNICATION.—Section 319F–2(c)(7)(B)(ii)(III) (42 U.S.C. 247d–6b(c)(7)(B)(ii)(III)) is amended by adding at the end the following: ''The Secretary shall notify the vendor within 90 days of a determination by the Secretary to renew, extend, or terminate such contract.''.

SEC. 503. AVAILABILITY OF REGULATORY MANAGEMENT PLANS.

Section 565(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4(f)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(2) by inserting after paragraph (2) the following:

''(3) PUBLICATION.—The Secretary shall make available on the internet website of the Food and Drug Administration information regarding regulatory management plans, including—

''(A) the process by which an applicant may submit a request for a regulatory management plan;

''(B) the timeframe by which the Secretary is required to respond to such request;

''(C) the information required for the submission of such request;

''(D) a description of the types of development milestones and performance targets that could be discussed and included in such plans; and

''(E) contact information for beginning the regulatory management plan process.'';

(3) in paragraph (6), as so redesignated, in the matter preceding subparagraph (A)—

(A) by striking ''paragraph (4)(A)'' and inserting ''paragraph (5)(A)''; and

(B) by striking ''paragraph (4)(B)'' and inserting ''paragraph (5)(B)''; and

(4) in paragraph (7)(A), as so redesignated, by striking ''paragraph (3)(A)'' and inserting ''paragraph (4)(A)''.

SEC. 504. THE BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY AND THE BIOSHIELD SPECIAL RESERVE FUND.

(a) BIOSHIELD SPECIAL RESERVE FUND.—Section 319F–2(g)(1) (42 U.S.C. 247d–6b(g)(1)) is amended—

(1) by striking ''$2,800,000,000 for the period of fiscal years 2014 through 2018'' and inserting ''$7,100,000,000 for the period of fiscal years 2019 through 2028, to remain available until expended''; and

(2) by striking the second sentence.

(b) THE BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.—Section 319L(d)(2) (42 U.S.C. 247d–7e(d)(2)) is amended by striking ''$415,000,000 for each of fiscal years 2014 through 2018'' and inserting ''$611,700,000 for each of fiscal years 2019 through 2023''.

SEC. 505. ADDITIONAL STRATEGIES FOR COMBATING ANTIBIOTIC RESISTANCE.

(a) ADVISORY COUNCIL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') may continue the Presidential Advisory Council on Combating Antibiotic-Resistant Bacteria, referred to in this section as the ''Advisory Council''.

(b) DUTIES.—The Advisory Council shall advise and provide information and recommendations to the Secretary regarding programs and policies intended to reduce or combat antibiotic-resistant bacteria that may present a public health threat and improve capabilities to prevent, diagnose, mitigate, or treat such resistance. Such advice, information, and recommendations may be related to improving—

(1) the effectiveness of antibiotics;

(2) research and advanced research on, and the development of, improved and innovative methods for combating or reducing antibiotic resistance, including new treatments, rapid point-of-care diagnostics, alternatives to antibiotics, including alternatives to animal antibiotics, and antimicrobial stewardship activities;

(3) surveillance of antibiotic-resistant bacterial infections, including publicly available and up-to-date information on resistance to antibiotics;

(4) education for health care providers and the public with respect to up-to-date information on antibiotic resistance and ways to reduce or combat such resistance to antibiotics related to humans and animals;

(5) methods to prevent or reduce the transmission of antibiotic-resistant bacterial infections, including stewardship programs; and

(6) coordination with respect to international efforts in order to inform and advance United States capabilities to combat antibiotic resistance.

(c) MEETINGS AND COORDINATION.—

(1) MEETINGS.—The Advisory Council shall meet not less than biannually and, to the extent practicable, in coordination with meetings of the Antimicrobial Resistance Task Force established in section 319E(a) of the Public Health Service Act.

(2) COORDINATION.—The Advisory Council shall, to the greatest extent practicable, coordinate activities carried out by the Council with the Antimicrobial Resistance Task Force established under section 319E(a) of the Public Health Service Act (42 U.S.C. 247d–5(a)).

(d) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities and duties of the Advisory Council.

(e) EXTENSION OF ADVISORY COUNCIL.—Not later than October 1, 2022, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a recommendation on whether the Advisory Council should be extended, and in addition, identify whether there are other committees, councils, or task forces that have overlapping or similar duties to that of the Advisory Council, and whether such committees, councils, or task forces should be combined, including with respect to section 319E(a) of the Public Health Service Act (42 U.S.C. 247d–5(a)).

TITLE VI—ADVANCING TECHNOLOGIES FOR MEDICAL COUNTERMEASURES

SEC. 601. ADMINISTRATION OF COUNTERMEASURES.

Section 319L(c)(4)(D)(iii) (42 U.S.C. 247d–7e(c)(4)(D)(iii)) is amended by striking ''and platform technologies'' and inserting ''platform technologies, technologies to administer countermeasures, and technologies to improve storage and transportation of countermeasures''.

SEC. 602. UPDATING DEFINITIONS OF OTHER TRANSACTIONS.

Section 319L (42 U.S.C. 247d–7e) is amended—

(1) in subsection (a)(3), by striking '', such as'' and all that follows through ''Code''; and

(2) in subsection (c)(5)(A)—

(A) in clause (i), by striking ''under this subsection'' and all that follows through ''Code'' and inserting ''(as defined in subsection (a)(3)) under this subsection''; and

(B) in clause (ii)—

(i) by amending subclause (I) to read as follows:

''(I) IN GENERAL.—To the maximum extent practicable, competitive procedures shall be used when entering into transactions to carry out projects under this subsection.''; and

(ii) in subclause (II)—

(I) by striking ''$20,000,000'' and inserting ''$100,000,000'';

(II) by striking ''senior procurement executive for the Department (as designated for purpose of section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c)))'' and inserting ''Assistant Secretary for Financial Resources''; and

(III) by striking ''senior procurement executive under'' and inserting ''Assistant Secretary for Financial Resources under''.

SEC. 603. MEDICAL COUNTERMEASURE MASTER FILES.

(a) IN GENERAL.—The purpose of this section (including section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b)) is to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products by facilitating and encouraging submission of data and information to support the development of such products, and through clarifying the authority to cross-reference to data and information previously submitted to the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), including data and information submitted to medical countermeasure master files or other master files.

(b) MEDICAL COUNTERMEASURE MASTER FILES.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 565A the following:

''SEC. 565B. MEDICAL COUNTERMEASURE MASTER FILES.

''(a) APPLICABILITY OF REFERENCE.—

''(1) IN GENERAL.—A person may submit data and information in a master file to the Secretary with the intent to reference, or to authorize, in writing, another person to reference, such data or information to support a medical countermeasure submission (including a supplement or amendment to any such submission), without requiring the master file holder to disclose the data and information to any such persons authorized to reference the master file. Such data and information shall be available for reference by the master file holder or by a person authorized by the master file holder, in accordance with applicable privacy and confidentiality protocols and regulations.

''(2) REFERENCE OF CERTAIN MASTER FILES.—In the case that data or information within a medical countermeasure master file is used only to support the conditional approval of an application filed under section 571, such master file may be relied upon to support the effectiveness of a product that is the subject of a subsequent medical countermeasure submission only if such application is supplemented by additional data or information to support review and approval in a manner consistent with the standards applicable to such review and approval for such countermeasure, qualified countermeasure, or qualified pandemic or epidemic product.

''(b) MEDICAL COUNTERMEASURE MASTER FILE CONTENT.—

''(1) IN GENERAL.—A master file under this section may include data or information to support—

''(A) the development of medical countermeasure submissions to support the approval, licensure, classification, clearance, conditional approval, or authorization of one or more security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products; and

''(B) the manufacture of security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products.

''(2) REQUIRED UPDATES.—The Secretary may require, as appropriate, that the master file holder ensure that the contents of such master file are updated during the time such master file is referenced for a medical countermeasure submission.

''(c) SPONSOR REFERENCE.—

''(1) IN GENERAL.—Each incorporation of data or information within a medical countermeasure master file shall describe the incorporated material in a manner in which the Secretary determines appropriate and that permits the review of such information within such master file without necessitating re-submission of such data or information. Master files shall be submitted in an electronic format in accordance with sections 512(b)(4), 571(a)(4), and 745A, as applicable, and as specified in applicable guidance.

''(2) REFERENCE BY A MASTER FILE HOLDER.—A master file holder that is the sponsor of a medical countermeasure submission shall notify the Secretary in writing of the intent to reference the medical countermeasure master file as a part of the submission.

''(3) REFERENCE BY AN AUTHORIZED PERSON.—A person submitting an application for review may, where the Secretary determines appropriate, incorporate by reference all or part of the contents of a medical countermeasure master file, if the master file holder authorizes the incorporation in writing.

''(d) ACKNOWLEDGMENT OF AND RELIANCE UPON A MASTER FILE BY THE SECRETARY.—

''(1) IN GENERAL.—The Secretary shall provide the master file holder with a written notification indicating that the Secretary has reviewed and relied upon specified data or information within a master file and the purposes for which such data or information was incorporated by reference if the Secretary has reviewed and relied upon such specified data or information to support the approval,

classification, conditional approval, clearance, licensure, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product. The Secretary may rely upon the data and information within the medical countermeasure master file for which such written notification was provided in additional applications, as applicable and appropriate and upon the request of the master file holder so notified in writing or by an authorized person of such holder.

''(2) CERTAIN APPLICATIONS.—If the Secretary has reviewed and relied upon specified data or information within a medical countermeasure master file to support the conditional approval of an application under section 571 to subsequently support the approval, clearance, licensure, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product, the Secretary shall provide a brief written description to the master file holder regarding the elements of the application fulfilled by the data or information within the master file and how such data or information contained in such application meets the standards of evidence under subsection (c) or (d) of section 505, subsection (d) of section 512, or section 351 of the Public Health Service Act (as applicable), which shall not include any trade secret or confidential commercial information.

''(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) limit the authority of the Secretary to approve, license, clear, conditionally approve, or authorize drugs, biological products, or devices pursuant to, as applicable, this Act or section 351 of the Public Health Service Act (as such applicable Act is in effect on the day before the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018), including the standards of evidence, and applicable conditions, for approval under the applicable Act;

''(2) alter the standards of evidence with respect to approval, licensure, or clearance, as applicable, of drugs, biological products, or devices under this Act or section 351 of the Public Health Service Act, including, as applicable, the substantial evidence standards under sections 505(d) and 512(d) or this Act and section 351(a) of the Public Health Service Act; or

''(3) alter the authority of the Secretary under this Act or the Public Health Service Act to determine the types of data or information previously submitted by a sponsor or any other person that may be incorporated by reference in an application, request, or notification for a drug, biological product, or device submitted under sections 505(i), 505(b), 505(j), 512(b)(1), 512(b)(2), 512(j), 564, 571, 520(g), 515(c), 513(f)(2), or 510(k) of this Act, or subsection (a) or (k) of section 351 of the Public Health Service Act, including a supplement or amendment to any such submission, and the requirements associated with such reference.

''(f) DEFINITIONS.—In this section:

''(1) The term 'master file holder' means a person who submits data and information to the Secretary with the intent to reference or authorize another person to reference such data or information to support a medical countermeasure submission, as described in subsection (a).

''(2) The term 'medical countermeasure submission' means an investigational new drug application under section 505(i), a new drug application under section 505(b), or an abbreviated new drug application under section 505(j) of this Act, a biological product license application under section 351(a) of the Public Health Service Act or a biosimilar biological product license application under section 351(k) of the Public Health Service Act, a new animal drug application under section 512(b)(1) or abbreviated new animal drug application under section 512(b)(2), an application for conditional approval of a new animal drug under section 571, an investigational device application under section 520(g), an application with respect to a device under section 515(c), a request for classification of a device under section 513(f)(2), a notification with respect to a device under section 510(k), or a request for an emergency use authorization under section 564 to support—

''(A) the approval, licensure, classification, clearance, conditional approval, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product; or

''(B) a new indication to an approved security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product.

''(3) The terms 'qualified countermeasure', 'security countermeasure', and 'qualified pandemic or epidemic product' have the meanings given such terms in sections 319F–1, 319F–2, and 319F–3, respectively, of the Public Health Service Act.''.

(c) STAKEHOLDER INPUT.—Not later than 18 months after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs and in consultation with the Assistant Secretary for Preparedness and Response, shall solicit input from stakeholders, including stakeholders developing security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products, and stakeholders developing technologies to assist in the development of such countermeasures with respect to how the Food and Drug Administration can advance the use of tools and technologies to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products, including through reliance on cross-referenced data and information contained within master files and submissions previously submitted to the Secretary as set forth in section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b).

(d) GUIDANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall publish draft guidance about how reliance on cross-referenced data and information contained within master files under section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b) or submissions otherwise submitted to the Secretary may be used for specific tools or technologies (including platform technologies) that have the potential to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products. The Secretary, acting through the Commissioner of Food and Drugs, shall publish the final guidance not later than 3 years after the enactment of this Act.

SEC. 604. ANIMAL RULE REPORT.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the application of the requirements under subsections (c) and (d) of section 565 of the of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4) (referred to in this section as the ''animal rule'') as a component of medical countermeasure advanced development under the Biomedical Advanced Research and Development Authority and regulatory review by the Food and Drug Administration. In conducting such study, the Comptroller General shall examine the following:

(1) The extent to which advanced development and review of a medical countermeasure are coordinated between the Biomedical Advanced Research and Development Authority and the Food and Drug Administration, including activities that facilitate appropriate and efficient design of studies to support approval, licensure, and authorization under the animal rule, consistent with the recommendations in the animal rule guidance, issued pursuant to section 565(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 360bbb–4(c)) and entitled ''Product Development Under the Animal Rule: Guidance for Industry'' (issued in October 2015), to resolve discrepancies in the design of adequate and well-controlled efficacy studies conducted in animal models related to the provision of substantial evidence of effectiveness for the product approved, licensed, or authorized under the animal rule.

(2) The consistency of the application of the animal rule among and between review divisions within the Food and Drug Administration.

(3) The flexibility pursuant to the animal rule to address variations in countermeasure development and review processes, including the extent to which qualified animal models are adopted and used within the Food and Drug Administration in regulatory decision-making with respect to medical countermeasures.

(4) The extent to which the guidance issued under section 565(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 360bbb–4(c)), entitled, ''Product Development Under the Animal Rule: Guidance for Industry'' (issued in October 2015), has assisted in achieving the purposes described in paragraphs (1), (2), and (3).

(b) CONSULTATIONS.—In conducting the study under subsection (a), the Comptroller General of the United States shall consult with—

(1) the Federal agencies responsible for advancing, reviewing, and procuring medical countermeasures, including the Office of the Assistant Secretary for Preparedness and Response, the Biomedical Advanced Research and Development Authority, the Food and Drug Administration, and the Department of Defense;

(2) manufacturers involved in the research and development of medical countermeasures to address biological, chemical, radiological, or nuclear threats; and

(3) other biodefense stakeholders, as applicable.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report containing the results of the study conducted under subsection (a) and recommendations to improve the application and consistency of the requirements under subsections (c) and (d) of section 565 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360bbb–4) to support and expedite the research and development of medical countermeasures, as applicable.

(d) PROTECTION OF NATIONAL SECURITY.—The Comptroller General of the United States shall conduct the study and issue the assessment and report under this section in a manner that does not compromise national security.

SEC. 605. REVIEW OF THE BENEFITS OF GENOMIC ENGINEERING TECHNOLOGIES AND THEIR POTENTIAL ROLE IN NATIONAL SECURITY.

(a) MEETING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall convene a meeting to discuss the potential role advancements in genomic engineering technologies (including genome editing technologies) may have in advancing national health security. Such meeting shall be held in a manner that does not compromise national security.

(2) ATTENDEES.—The attendees of the meeting under paragraph (1)—

(A) shall include—

(i) representatives from the Office of the Assistant Secretary for Preparedness and Response, the National Institutes of Health, the Centers for Disease Control and Prevention, and the Food and Drug Administration; and

(ii) representatives from academic, private, and nonprofit entities with expertise in genome engineering technologies, biopharmaceuticals, medicine, or biodefense, and other relevant stakeholders; and

(B) may include—

(i) other representatives from the Department of Health and Human Services, as the Secretary determines appropriate; and

(ii) representatives from the Department of Homeland Security, the Department of Defense, the Department of Agriculture, and other departments, as the Secretary may request for the meeting.

(3) TOPICS.—The meeting under paragraph (1) shall include a discussion of—

(A) the current state of the science of genomic engineering technologies related to national health security, including—

(i) medical countermeasure development, including potential efficiencies in the development pathway and detection technologies; and

(ii) the international and domestic regulation of products utilizing genome editing technologies; and

(B) national security implications, including—

(i) capabilities of the United States to leverage genomic engineering technologies as a part of the medical countermeasure enterprise, including current applicable research, development, and application efforts underway within the Department of Defense;

(ii) the potential for state and non-state actors to utilize genomic engineering technologies as a national health security threat; and

(iii) security measures to monitor and assess the potential threat that may result from utilization of genomic engineering technologies and related technologies for the purpose of compromising national health security.

(b) REPORT.—Not later than 270 days after the meeting described in subsection (a) is held, the Assistant Secretary for Preparedness and Response shall issue a report to the congressional committees of jurisdiction on the topics discussed at such meeting, and provide recommendations, as applicable, to utilize innovations in genomic engineering (including genome editing) and related technologies as a part of preparedness and response activities to advance national health security. Such report shall be issued in a manner that does not compromise national security.

SEC. 606. REPORT ON VACCINES DEVELOPMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing efforts and activities to coordinate with other countries and international partners during recent public health emergencies with respect to the research and advanced research on, and development of, qualified pandemic or epidemic products (as defined in section 319F–3 of the Public Health Service Act (42 U.S.C. 247d–6d)). Such report may include information regarding relevant work carried out under section 319L(c)(5)(E) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)(E)), through public-private partnerships, and through collaborations with other countries to assist with or expedite the research and development of qualified pandemic or epidemic products. Such report shall not include information that may compromise national security.

SEC. 607. STRENGTHENING MOSQUITO ABATEMENT FOR SAFETY AND HEALTH.

(a) REAUTHORIZATION OF MOSQUITO ABATEMENT FOR SAFETY AND HEALTH PROGRAM.—Section 317S (42 U.S.C. 247b–21) is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting ''including programs to address emerging infectious mosquito-borne diseases,'' after ''subdivisions for control programs,''; and

(B) by inserting ''or improving existing control programs'' before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1), by inserting '', including improvement,'' after ''operation'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking ''or'' at the end;

(II) in clause (iii), by striking the semicolon at the end and inserting '', including an emerging infectious mosquito-borne disease that presents a serious public health threat; or''; and

(III) by adding at the end the following:

''(iv) a public health emergency due to the incidence or prevalence of a mosquito-borne disease that presents a serious public health threat;''; and

(ii) by amending subparagraph (D) to read as follows:

''(D)(i) is located in a State that has received a grant under subsection (a); or

''(ii) that demonstrates to the Secretary that the control program is consistent with existing State mosquito control plans or policies, or other applicable State preparedness plans.'';

(C) in paragraph (4)(C), by striking ''that extraordinary'' and all that follows through the period at the end and inserting the following: ''that—

''(i) extraordinary economic conditions in the political subdivision or consortium of political subdivisions involved justify the waiver; or

''(ii) the geographical area covered by a political subdivision or consortium for a grant under paragraph (1) has an extreme mosquito control need due to—

''(I) the size or density of the potentially impacted human population;

''(II) the size or density of a mosquito population that requires heightened control; or

''(III) the severity of the mosquito-borne disease, such that expected serious adverse health outcomes for the human population justify the waiver.''; and

(D) by amending paragraph (6) to read as follows:

''(6) NUMBER OF GRANTS.—A political subdivision or a consortium of political subdivisions may not receive more than one grant under paragraph (1).''; and

(3) in subsection (f)—

(A) in paragraph (1) by striking ''for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007'' and inserting ''for each of fiscal years 2019 through 2023'';

(B) in paragraph (2), by striking ''the Public Health Security and Bioterrorism Preparedness and Response Act of 2002'' and inserting ''this Act and other medical and public health preparedness and response laws''; and

(C) in paragraph (3)—

(i) in the paragraph heading, by striking ''2004'' and inserting ''2019''; and

(ii) by striking ''2004,'' and inserting ''2019,''.

(b) EPIDEMIOLOGY-LABORATORY CAPACITY GRANTS.—Section 2821 (42 U.S.C. 300hh–31) is amended—

(1) in subsection (a)(1), by inserting '', including mosquito and other vector-borne diseases,'' after ''infectious diseases''; and

(2) in subsection (b), by striking ''2010 through 2013'' and inserting ''2019 through 2023''.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. REAUTHORIZATIONS AND EXTENSIONS.

(a) VETERANS AFFAIRS.—Section 8117(g) of title 38, United States Code, is amended by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) (42 U.S.C. 247d–1(e)) is amended by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(c) TEMPORARY REASSIGNMENT.—Section 319(e)(8) (42 U.S.C. 247d(e)(8)) is amended by striking ''2018'' and inserting ''2023''.

(d) STRATEGIC INNOVATION PARTNER.—Section 319L(c)(4)(E)(ix) (42 U.S.C. 247d–7e(c)(4)(E)(ix)) is amended by striking ''2022'' and inserting ''2023''.

(e) LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405 of the Pandemic and All-Hazards Preparedness Act (Public Law 109–417; 42 U.S.C. 247d–6a note) is amended—

(A) in subsection (a)(1)(A)—

(i) by striking ''Secretary of Health and Human Services (referred to in this subsection as the 'Secretary')'' and inserting ''Secretary'';

(ii) by striking ''of the Public Health Service Act (42 U.S.C. 247d–6b)) (as amended by this Act'';

(iii) by striking ''of the Public Health Service Act (42 U.S.C. 247d–6a)) (as amended by this Act''; and

(iv) by striking ''of the Public Health Service Act (42 U.S.C. 247d–6d)'';

(B) in subsection (b), by striking ''12-year'' and inserting ''17-year'';

(C) by redesignating such section 405 as section 319L–1; and

(D) by transferring such section 319L–1, as redesignated, to the Public Health Service Act (42 U.S.C. 201 et seq.), to appear after section 319L of such Act (42 U.S.C. 247d–7e).

(2) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Pandemic and All-Hazards Preparedness Act (Public Law 109–417) is amended by striking the item related to section 405.

(f) INAPPLICABILITY OF CERTAIN PROVISIONS.—Subsection (e)(1) of section 319L (42 U.S.C. 247d–7e(e)(1)) is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) NON-DISCLOSURE OF INFORMATION.—

''(i) IN GENERAL.—Information described in clause (ii) shall be deemed to be information described in section 552(b)(3) of title 5, United States Code.

''(ii) INFORMATION DESCRIBED.—The information described in this clause is information relevant to programs of the Department of Health and Human Services that could compromise national security and reveal significant and not otherwise publicly known vulnerabilities of existing medical or public health defenses against chemical, biological, radiological, or nuclear threats, and is comprised of—

''(I) specific technical data or scientific information that is created or obtained during the countermeasure and product advanced research and development carried out under subsection (c);

''(II) information pertaining to the location security, personnel, and research materials and methods of high-containment laboratories conducting research with select agents, toxins, or other agents with a material threat determination under section 319F–2(c)(2); or

''(III) security and vulnerability assessments.'';

(2) by redesignating subparagraph (C) as subparagraph (D);

(3) by inserting after subparagraph (B) the following:

''(C) REPORTING.—One year after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018, and annually thereafter, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on the number of instances in which the Secretary has used the authority under this subsection to withhold information from disclosure, as well as the nature of any request under section 552 of title 5, United States Code that was denied using such authority.''; and

(4) in subparagraph (D), as so redesignated, by striking ''12'' and inserting ''17''.

SEC. 702. LOCATION OF MATERIALS IN THE STOCKPILE.

Subsection (d) of section 319F–2 (42 U.S.C. 247d–6b) is amended to read as follows:

''(d) DISCLOSURES.—No Federal agency may disclose under section 552 of title 5, United States Code any information identifying the location at which materials in the stockpile described in subsection (a) are stored, or other information regarding the contents or deployment capability of the stockpile that could compromise national security.''.

SEC. 703. CYBERSECURITY.

(a) STRATEGY FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO CYBERSECURITY THREATS.—

(1) STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall prepare and submit to the relevant committees of Congress a strategy for public health preparedness and response to address cybersecurity threats (as defined in section 102 of Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) that present a threat to national health security. Such strategy shall include—

(A) identifying the duties, functions, and preparedness goals for which the Secretary is responsible in order to prepare for and respond to such cybersecurity threats, including metrics by which to measure success in meeting preparedness goals;

(B) identifying gaps in public health capabilities to achieve such preparedness goals; and

(C) strategies to address identified gaps and strengthen public health emergency preparedness and response capabilities to address such cybersecurity threats.

(2) PROTECTION OF NATIONAL SECURITY.—The Secretary shall make such strategy available to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Energy and Commerce of the House of Representatives, and other congressional committees of jurisdiction, in a manner that does not compromise national security.

(b) COORDINATION OF PREPAREDNESS FOR AND RESPONSE TO ALL-HAZARDS PUBLIC HEALTH EMERGENCIES.—Subparagraph (D) of section 2811(b)(4) (42 U.S.C. 300hh–10(b)(4)) is amended to read as follows:

''(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction, before, during, and following public health emergencies, with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan described in section 504(a)(6) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)(6)), or any successor plan; and such Federal responses covered by the National Cybersecurity Incident Response Plan developed under section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c)), including public health emergencies or incidents related to cybersecurity threats that present a threat to national health security.''.

SEC. 704. STRATEGY AND REPORT.

Not later than 14 days after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Assistant Secretary for Preparedness and Response and the Assistant Secretary for the Administration on Children and Families or other appropriate office, and in collaboration with other departments, as appropriate, shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and other relevant congressional committees—

(1) a formal strategy, including interdepartmental actions and efforts to reunify children with their parents or guardians, in all cases in which such children have been separated from their parents or guardians as a result of the initiative announced on April 6, 2018, and due to prosecution under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), if the parent or guardian chooses such reunification and the child—

(A) was separated from a parent or guardian and placed into a facility funded by the Department of Health and Human Services;

(B) as of the date of the enactment of this Act, remains in the care of the Department of Health and Human Services; and

(C) can be safely reunited with such parent or guardian; and

(2) a report on challenges and deficiencies related to the oversight of, and care for, unaccompanied alien children and appropriately reuniting such children with their parents or guardians, and the actions taken to address any challenges and deficiencies related to unaccompanied alien children in the custody of the Department of Health and Human Services, including deficiencies identified and publicly reported by Congress, the Government Accountability Office, or the Inspectors General of the Department of Health and Human Services or other Federal departments.

SEC. 705. TECHNICAL AMENDMENTS.

(a) PUBLIC HEALTH SERVICE ACT.—Title III (42 U.S.C. 241 et seq.) is amended—

(1) in paragraphs (1) and (5) of section 319F–1(a) (42 U.S.C. 247d–6a(a)), by striking ''section 319F(h)'' each place such term appears and inserting ''section 319F(e)''; and

(2) in section 319K(a) (42 U.S.C. 247d–7d(a)), by striking ''section 319F(h)(4)'' and inserting ''section 319F(e)(4)''.

(b) PUBLIC HEALTH SECURITY GRANTS.—Section 319C–1(b)(2) (42 U.S.C. 247d–3a(b)(2)) is amended—

(1) in subparagraph (C), by striking ''individuals,,'' and inserting ''individuals,''; and

(2) in subparagraph (F), by striking ''make satisfactory annual improvement and describe'' and inserting ''makes satisfactory annual improvement and describes''.

(c) EMERGENCY USE INSTRUCTIONS.—Subparagraph (A) of section 564A(e)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3a(e)(2)) is amended by striking ''subsection (a)(1)(C)(i)'' and inserting ''subsection (a)(1)(C)''.

(d) PRODUCTS HELD FOR EMERGENCY USE.—Section 564B(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3b) is amended—

(1) in subparagraph (B), by inserting a comma after ''505''; and

(2) in subparagraph (C), by inserting ''or section 564A'' before the period at the end.

(e) TRANSPARENCY.—Section 507(c)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357(c)(3)) is amended—

(1) by striking ''Nothing in'' and inserting the following:

''(A) IN GENERAL.—Nothing in'';

(2) by inserting ''or directing'' after ''authorizing'';

(3) by striking ''disclose any'' and inserting ''disclose—

''(i) any'';

(4) by striking the period and inserting ''; or''; and

(5) by adding at the end the following:

''(ii) in the case of a drug development tool that may be used to support the development of a qualified countermeasure, security countermeasure, or qualified pandemic or epidemic product, as defined in sections 319F–1, 319F–2, and 319F–3, respectively, of the Public Health Service Act, any information that the Secretary determines has a significant potential to affect national security.

''(B) PUBLIC ACKNOWLEDGMENT.—In the case that the Secretary, pursuant to subparagraph (A)(ii), does not make information publicly available, the Secretary shall provide on the internet website of the Food and Drug Administration an acknowledgment of the information that has not been disclosed, pursuant to subparagraph (A)(ii).''.

DIVISION B—OVER-THE-COUNTER MONOGRAPH SAFETY, INNOVATION, AND REFORM

SECTION 1000. SHORT TITLE; REFERENCES IN DIVISION.

(a) SHORT TITLE.—This division may be cited as the ''Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018''.

(b) REFERENCES.—Except as otherwise specified, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—OTC DRUG REVIEW

SEC. 1001. REGULATION OF CERTAIN NONPRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 505F of such Act (21 U.S.C. 355g) the following:

''SEC. 505G. REGULATION OF CERTAIN NONPRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.

''(a) NONPRESCRIPTION DRUGS MARKETED WITHOUT AN APPROVED APPLICATION.—Nonprescription drugs marketed without an approved drug application under section 505, as of the date of the enactment of this section, shall be treated in accordance with this subsection.

''(1) DRUGS SUBJECT TO A FINAL MONOGRAPH; CATEGORY I DRUGS SUBJECT TO A TENTATIVE FINAL MONOGRAPH.—A drug is deemed to be generally recognized as safe and effective under section 201(p)(1), not a new drug under section 201(p), and not subject to section 503(b)(1), if—

''(A) the drug is—

''(i) in conformity with the requirements for nonprescription use of a final monograph issued under part 330 of title 21, Code of Federal Regulations (except as provided in paragraph (2)), the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

''(ii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

''(B) the drug is—

''(i) classified in category I for safety and effectiveness under a tentative final monograph that is the most recently applicable proposal or determination issued under part 330 of title 21, Code of Federal Regulations;

''(ii) in conformity with the proposed requirements for nonprescription use of such tentative final monograph, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

''(iii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

''(2) TREATMENT OF SUNSCREEN DRUGS.—With respect to sunscreen drugs subject to this section, the applicable requirements in terms of conformity with a final monograph, for purposes of paragraph (1)(A)(i), shall be the requirements specified in part 352 of title 21, Code of Federal Regulations, as published on May 21, 1999, beginning on page 27687 of volume 64 of the Federal Register, except that the applicable requirements governing effectiveness and labeling shall be those specified in section 201.327 of title 21, Code of Federal Regulations.

''(3) CATEGORY III DRUGS SUBJECT TO A TENTATIVE FINAL MONOGRAPH; CATEGORY I DRUGS SUBJECT TO PROPOSED MONOGRAPH OR ADVANCE NOTICE OF PROPOSED RULEMAKING.—A drug that is not described in paragraph (1), (2), or (4) is not required to be the subject of an application approved under section 505, and is not subject to section 503(b)(1), if—

''(A) the drug is—

''(i) classified in category III for safety or effectiveness in the preamble of a proposed rule establishing a tentative final monograph that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

''(ii) in conformity with—

''(I) the conditions of use, including indication and dosage strength, if any, described for such category III drug in such preamble or in an applicable subsequent proposed rule;

''(II) the proposed requirements for drugs classified in such tentative final monograph in category I in the most recently proposed rule establishing requirements related to such tentative final monograph and in any final rule establishing requirements that are applicable to the drug; and

''(III) the general requirements for nonprescription drugs and conditions or requirements under subsection (b) or (k); and

''(iii) in a dosage form that, immediately prior to the date of the enactment of this section, had been used to a material extent and for a material time under section 201(p)(2); or

''(B) the drug is—

''(i) classified in category I for safety and effectiveness under a proposed monograph or advance notice of proposed rulemaking that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

''(ii) in conformity with the requirements for nonprescription use of such proposed monograph or advance notice of proposed rulemaking, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsection (b) or (k); and

''(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

''(4) CATEGORY II DRUGS DEEMED NEW DRUGS.—A drug that is classified in category II for safety or effectiveness under a tentative final monograph or that is subject to a determination to be not generally recognized as safe and effective in a proposed rule that is the most recently applicable proposal issued under part 330 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505 beginning on the day that is 180 calendar days after the date of the enactment of this section, unless, before such day, the Secretary determines that it is in the interest of public health to extend the period during which the drug may be marketed without such an approved new drug application.

''(5) DRUGS NOT GRASE DEEMED NEW DRUGS.—A drug that the Secretary has determined not to be generally recognized as safe and effective under section 201(p)(1) under a final determination issued under part 330 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505.

''(6) OTHER DRUGS DEEMED NEW DRUGS.—Except as provided in subsection (m), a drug is deemed to be a new drug under section 201(p) and misbranded under section 502(ee) if the drug—

''(A) is not subject to section 503(b)(1); and

''(B) is not described in paragraph (1), (2), (3), (4), or (5), or subsection (b)(1)(B).

''(b) ADMINISTRATIVE ORDERS.—

''(1) IN GENERAL.—

''(A) DETERMINATION.—The Secretary may, on the initiative of the Secretary or at the request of one or more requestors, issue an administrative order determining whether there are conditions under which a specific drug, a class of drugs, or a combination of drugs, is determined to be—

''(i) not subject to section 503(b)(1); and

''(ii) generally recognized as safe and effective under section 201(p)(1).

''(B) EFFECT.—A drug or combination of drugs shall be deemed to not require approval under section 505 if such drug or combination of drugs—

''(i) is determined by the Secretary to meet the conditions specified in clauses (i) and (ii) of subparagraph (A);

''(ii) is marketed in conformity with an administrative order under this subsection;

''(iii) meets the general requirements for nonprescription drugs; and

''(iv) meets the requirements under subsections (c) and (k).

''(C) STANDARD.—The Secretary shall find that a drug is not generally recognized as safe and effective under section 201(p)(1) if—

''(i) the evidence shows that the drug is not generally recognized as safe and effective under section 201(p)(1); or

''(ii) the evidence is inadequate to show that the drug is generally recognized as safe and effective under section 201(p)(1).

''(2) ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

''(A) IN GENERAL.—In issuing an administrative order under paragraph (1) upon the Secretary's initiative, the Secretary shall—

''(i) make reasonable efforts to notify informally, not later than 2 business days before the issuance of the proposed order, the sponsors of drugs who have a listing in effect under section 510(j) for the drugs or combination of drugs that will be subject to the administrative order;

''(ii) after any such reasonable efforts of notification—

''(I) issue a proposed administrative order by publishing it on the website of the Food and Drug Administration and include in such order the reasons for the issuance of such order; and

''(II) publish a notice of availability of such proposed order in the Federal Register;

''(iii) except as provided in subparagraph (B), provide for a public comment period with respect to such proposed order of not less than 45 calendar days; and

''(iv) if, after completion of the proceedings specified in clauses (i) through (iii), the Secretary determines that it is appropriate to issue a final administrative order—

''(I) issue the final administrative order, together with a detailed statement of reasons, which order shall not take effect until the time for requesting judicial review under paragraph (3)(D)(ii) has expired;

''(II) publish a notice of such final administrative order in the Federal Register;

''(III) afford requestors of drugs that will be subject to such order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which initially must be requested within 45 calendar days of the issuance of the order, and, for subsequent levels of appeal, within 30 calendar days of the prior decision; and

''(IV) except with respect to drugs described in paragraph (3)(B), upon completion of the formal dispute resolution procedure, inform the persons which sought such dispute resolution of their right to request a hearing.

''(B) EXCEPTIONS.—When issuing an administrative order under paragraph (1) on the Secretary's initiative proposing to determine that a drug described in subsection (a)(3) is not generally recognized as safe and effective under section 201(p)(1), the Secretary shall follow the procedures in subparagraph (A), except that—

''(i) the proposed order shall include notice of—

''(I) the general categories of data the Secretary has determined necessary to establish that the drug is generally recognized as safe and effective under section 201(p)(1); and

''(II) the format for submissions by interested persons;

''(ii) the Secretary shall provide for a public comment period of no less than 180 calendar days with respect to such proposed order, except when the Secretary determines, for good cause, that a shorter period is in the interest of public health; and

''(iii) any person who submits data in such comment period shall include a certification that the person has submitted all evidence created, obtained, or received by that person that is both within the categories of data identified in the proposed order and relevant to a determination as to whether the drug is generally recognized as safe and effective under section 201(p)(1).

''(3) HEARINGS; JUDICIAL REVIEW.—

''(A) IN GENERAL.—Only a person who participated in each stage of formal dispute resolution under subclause (III) of paragraph (2)(A)(iv) of an administrative order with respect to a drug may request a hearing concerning a final administrative order issued under such paragraph with respect to such drug. If a hearing is sought, such person must submit a request for a hearing, which shall be based solely on information in the administrative record, to the Secretary not later than 30 calendar days after receiving notice of the final decision of the formal dispute resolution procedure.

''(B) NO HEARING REQUIRED WITH RESPECT TO ORDERS RELATING TO CERTAIN DRUGS.—

''(i) IN GENERAL.—The Secretary shall not be required to provide notice and an opportunity for a hearing pursuant to paragraph (2)(A)(iv) if the final administrative order involved relates to a drug—

''(I) that is described in subsection (a)(3)(A); and

''(II) with respect to which no human or non-human data studies relevant to the safety or effectiveness of such drug have been submitted to the administrative record since the issuance of the most recent tentative final monograph relating to such drug.

''(ii) HUMAN DATA STUDIES AND NON-HUMAN DATA DEFINED.—In this subparagraph:

''(I) The term 'human data studies' means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

''(II) The term 'non-human data' means data from testing other than with human subjects which provides information concerning safety or effectiveness.

''(C) HEARING PROCEDURES.—

''(i) DENIAL OF REQUEST FOR HEARING.—If the Secretary determines that information submitted in a request for a hearing under subparagraph (A) with respect to a final administrative order issued under paragraph (2)(A)(iv), does not identify the existence of a genuine and substantial question of material fact, the Secretary may deny such request. In making such a determination, the Secretary may consider only information and data that are based on relevant and reliable scientific principles and methodologies.

''(ii) SINGLE HEARING FOR MULTIPLE RELATED REQUESTS.—If more than one request for a hearing is submitted with respect to the same administrative order under subparagraph (A), the Secretary may direct that a single hearing be conducted in which all persons whose hearing requests were granted may participate.

''(iii) PRESIDING OFFICER.—The presiding officer of a hearing requested under subparagraph (A) shall—

''(I) be designated by the Secretary;

''(II) not be an employee of the Center for Drug Evaluation and Research; and

''(III) not have been previously involved in the development of the administrative order involved or proceedings relating to that administrative order.

''(iv) RIGHTS OF PARTIES TO HEARING.—The parties to a hearing requested under subparagraph (A) shall have the right to present testimony, including testimony of expert witnesses, and to cross-examine witnesses presented by other parties. Where appropriate, the presiding officer may require that cross-examination by parties representing substantially the same interests be consolidated to promote efficiency and avoid duplication.

''(v) FINAL DECISION.—

''(I) At the conclusion of a hearing requested under subparagraph (A), the presiding officer of the hearing shall issue a decision containing findings of fact and conclusions of law. The decision of the presiding officer shall be final.

''(II) The final decision may not take effect until the period under subparagraph (D)(ii) for submitting a request for judicial review of such decision expires.

''(D) JUDICIAL REVIEW OF FINAL ADMINISTRATIVE ORDER.—

''(i) IN GENERAL.—The procedures described in section 505(h) shall apply with respect to judicial review of final administrative orders issued under this subsection in the same manner and to the same extent as such section applies to an order described in such section except that the judicial review shall be taken by filing in an appropriate district court of the United States in lieu of the appellate courts specified in such section.

''(ii) PERIOD TO SUBMIT A REQUEST FOR JUDICIAL REVIEW.—A person eligible to request a hearing under this paragraph and seeking judicial review of a final administrative order issued under this subsection shall file such request for judicial review not later than 60 calendar days after the latest of—

''(I) the date on which notice of such order is published;

''(II) the date on which a hearing with respect to such order is denied under subparagraph (B) or (C)(i);

''(III) the date on which a final decision is made following a hearing under subparagraph (C)(v); or

''(IV) if no hearing is requested, the date on which the time for requesting a hearing expires.

''(4) EXPEDITED PROCEDURE WITH RESPECT TO ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

''(A) IMMINENT HAZARD TO THE PUBLIC HEALTH.—

''(i) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs subject to this section poses an imminent hazard to the public health, the Secretary, after first making reasonable efforts to notify, not later than 48 hours before issuance of such order under this subparagraph, sponsors who have a listing in effect under section 510(j) for such drug or combination of drugs—

''(I) may issue an interim final administrative order for such drug, class of drugs, or combination of drugs under paragraph (1), together with a detailed statement of the reasons for such order;

''(II) shall publish in the Federal Register a notice of availability of any such order; and

''(III) shall provide for a public comment period of at least 45 calendar days with respect to such interim final order.

''(ii) NONDELEGATION.—The Secretary may not delegate the authority to issue an interim final administrative order under this subparagraph.

''(B) SAFETY LABELING CHANGES.—

''(i) IN GENERAL.—In the case of a determination by the Secretary that a change in the labeling of a drug, class of drugs, or combination of drugs subject to this section is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

''(I) make reasonable efforts to notify informally, not later than 48 hours before the issuance of the interim final order, the sponsors of drugs who have a listing in effect under section 510(j) for such drug or combination of drugs;

''(II) after reasonable efforts of notification, issue an interim final administrative order in accordance with paragraph (1) to require such change, together with a detailed statement of the reasons for such order;

''(III) publish in the Federal Register a notice of availability of such order; and

''(IV) provide for a public comment period of at least 45 calendar days with respect to such interim final order.

''(ii) CONTENT OF ORDER.—An interim final order issued under this subparagraph with respect to the labeling of a drug may provide for new warnings and other information required for safe use of the drug.

''(C) EFFECTIVE DATE.—An order under subparagraph (A) or (B) shall take effect on a date specified by the Secretary.

''(D) FINAL ORDER.—After the completion of the proceedings in subparagraph (A) or (B), the Secretary shall—

''(i) issue a final order in accordance with paragraph (1);

''(ii) publish a notice of availability of such final administrative order in the Federal Register; and

''(iii) afford sponsors of such drugs that will be subject to such an order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which must initially be within 45 calendar days of the issuance of the order, and for subsequent levels of appeal, within 30 calendar days of the prior decision.

''(E) HEARINGS.—A sponsor of a drug subject to a final order issued under subparagraph (D) and that participated in each stage of formal dispute resolution under clause (iii) of such subparagraph may request a hearing on such order. The provisions of subparagraphs (A), (B), and (C) of paragraph (3), other than paragraph (3)(C)(v)(II), shall apply with respect to a hearing on such order in the same manner and to the same extent as such provisions apply with respect to a hearing on an administrative order issued under paragraph (2)(A)(iv).

''(F) TIMING.—

''(i) FINAL ORDER AND HEARING.—The Secretary shall—

''(I) not later than 6 months after the date on which the comment period closes under subparagraph (A) or (B), issue a final order in accordance with paragraph (1); and

''(II) not later than 12 months after the date on which such final order is issued, complete any hearing under subparagraph (E).

''(ii) DISPUTE RESOLUTION REQUEST.—The Secretary shall specify in an interim final order issued under subparagraph (A) or (B) such shorter periods for requesting dispute resolution under subparagraph (D)(iii) as are necessary to meet the requirements of this subparagraph.

''(G) JUDICIAL REVIEW.—A final order issued pursuant to subparagraph (F) shall be subject to judicial review in accordance with paragraph (3)(D).

''(5) ADMINISTRATIVE ORDER INITIATED AT THE REQUEST OF A REQUESTOR.—

''(A) IN GENERAL.—In issuing an administrative order under paragraph (1) at the request of a requestor with respect to certain drugs, classes of drugs, or combinations of drugs—

''(i) the Secretary shall, after receiving a request under this subparagraph, determine whether the request is sufficiently complete and formatted to permit a substantive review;

''(ii) if the Secretary determines that the request is sufficiently complete and formatted to permit a substantive review, the Secretary shall—

''(I) file the request; and

''(II) initiate proceedings with respect to issuing an administrative order in accordance with paragraphs (2) and (3); and

''(iii) except as provided in paragraph (6), if the Secretary determines that a request does not meet the requirements for filing or is not sufficiently complete and formatted to permit a substantive review, the requestor may

demand that the request be filed over protest, and the Secretary shall initiate proceedings to review the request in accordance with paragraph (2)(A).

''(B) REQUEST TO INITIATE PROCEEDINGS.—

''(i) IN GENERAL.—A requestor seeking an administrative order under paragraph (1) with respect to certain drugs, classes of drugs, or combinations of drugs, shall submit to the Secretary a request to initiate proceedings for such order in the form and manner as specified by the Secretary. Such requestor may submit a request under this subparagraph for the issuance of an administrative order—

''(I) determining whether a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 503(b)(1), and not required to be the subject of an approved application under section 505; or

''(II) determining whether a change to a condition of use of a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 503(b)(1), and not required to be the subject of an approved application under section 505, if, absent such a changed condition of use, such drug is—

''(aa) generally recognized as safe and effective under section 201(p)(1) in accordance with subsection (a)(1), (a)(2), or an order under this subsection; or

''(bb) subject to subsection (a)(3), but only if such requestor initiates such request in conjunction with a request for the Secretary to determine whether such drug is generally recognized as safe and effective under section 201(p)(1), which is filed by the Secretary under subparagraph (A)(ii).

''(ii) EXCEPTION.—The Secretary is not required to complete review of a request for a change described in clause (i)(II) if the Secretary determines that there is an inadequate basis to find the drug is generally recognized as safe and effective under section 201(p)(1) under paragraph (1) and issues a final order announcing that determination.

''(iii) WITHDRAWAL.—The requestor may withdraw a request under this paragraph, according to the procedures set forth pursuant to subsection (d)(2)(B). Notwithstanding any other provision of this section, if such request is withdrawn, the Secretary may cease proceedings under this subparagraph.

''(C) EXCLUSIVITY.—

''(i) IN GENERAL.—A final administrative order issued in response to a request under this section shall have the effect of authorizing solely the order requestor (or the licensees, assignees, or successors in interest of such requestor with respect to the subject of such order), for a period of 18 months following the effective date of such final order and beginning on the date the requestor may lawfully market such drugs pursuant to the order, to market drugs—

''(I) incorporating changes described in clause (ii); and

''(II) subject to the limitations under clause (iv).

''(ii) CHANGES DESCRIBED.—A change described in this clause is a change subject to an order specified in clause (i), which—

''(I) provides for a drug to contain an active ingredient (including any ester or salt of the active ingredient) not previously incorporated in a drug described in clause (iii); or

''(II) provides for a change in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor (or for which the requestor has an exclusive right of reference) were essential to the issuance of such order.

''(iii) DRUGS DESCRIBED.—The drugs described in this clause are drugs—

''(I) specified in subsection (a)(1), (a)(2), or (a)(3);

''(II) subject to a final order issued under this section;

''(III) subject to a final sunscreen order (as defined in section 586(2)(A)); or

''(IV) described in subsection (m)(1), other than drugs subject to an active enforcement action under chapter III of this Act.

''(iv) LIMITATIONS ON EXCLUSIVITY.—

''(I) IN GENERAL.—Only one 18-month period under this subparagraph shall be granted, under each order described in clause (i), with respect to changes (to the drug subject to such order) which are either—

''(aa) changes described in clause (ii)(I), relating to active ingredients; or

''(bb) changes described in clause (ii)(II), relating to conditions of use.

''(II) NO EXCLUSIVITY ALLOWED.—No exclusivity shall apply to changes to a drug which are—

''(aa) the subject of a Tier 2 OTC monograph order request (as defined in section 744L);

''(bb) safety-related changes, as defined by the Secretary, or any other changes the Secretary considers necessary to assure safe use; or

''(cc) changes related to methods of testing safety or efficacy.

''(v) NEW HUMAN DATA STUDIES DEFINED.—In this subparagraph, the term 'new human data studies' means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies, the results of which—

''(I) have not been relied on by the Secretary to support—

''(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (iii) is generally recognized as safe and effective under section 201(p)(1); or

''(bb) approval of a drug that was approved under section 505; and

''(II) do not duplicate the results of another study that was relied on by the Secretary to support—

''(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (iii) is generally recognized as safe and effective under section 201(p)(1); or

''(bb) approval of a drug that was approved under section 505.

''(6) INFORMATION REGARDING SAFE NONPRESCRIPTION MARKETING AND USE AS CONDITION FOR FILING A GENERALLY RECOGNIZED AS SAFE AND EFFECTIVE REQUEST.—

''(A) IN GENERAL.—In response to a request under this section that a drug described in subparagraph (B) be generally recognized as safe and effective, the Secretary—

''(i) may file such request, if the request includes information specified under subparagraph (C) with respect to safe nonprescription marketing and use of such drug; or

''(ii) if the request fails to include information specified under subparagraph (C), shall refuse to file such request and require that nonprescription marketing of the drug be pursuant to a new drug application as described in subparagraph (D).

''(B) DRUG DESCRIBED.—A drug described in this subparagraph is a nonprescription drug which contains an active ingredient not previously incorporated in a drug—

''(i) specified in subsection (a)(1), (a)(2), or (a)(3);

''(ii) subject to a final order under this section; or

''(iii) subject to a final sunscreen order (as defined in section 586(2)(A)).

''(C) INFORMATION DEMONSTRATING PRIMA FACIE SAFE NONPRESCRIPTION MARKETING AND USE.—Information specified in this subparagraph, with respect to a request described in subparagraph (A)(i), is—

''(i) information sufficient for a prima facie demonstration that the drug subject to such request has a verifiable history of being marketed and safely used by consumers in the United States as a nonprescription drug under comparable conditions of use;

''(ii) if the drug has not been previously marketed in the United States as a nonprescription drug, information sufficient for a prima facie demonstration that the drug was marketed and safely used under comparable conditions of marketing and use in a country listed in section 802(b)(1)(A) or designated by the Secretary in accordance with section 802(b)(1)(B)—

''(I) for such period as needed to provide reasonable assurances concerning the safe nonprescription use of the drug; and

''(II) during such time was subject to sufficient monitoring by a regulatory body considered acceptable by the Secretary for such monitoring purposes, including for adverse events associated with nonprescription use of the drug; or

''(iii) if the Secretary determines that information described in clause (i) or (ii) is not needed to provide a prima facie demonstration that the drug can be safely marketed and used as a nonprescription drug, such other information the Secretary determines is sufficient for such purposes.

''(D) MARKETING PURSUANT TO NEW DRUG APPLICATION.—In the case of a request described in subparagraph (A)(ii), the drug subject to such request may be re-submitted for filing only if—

''(i) the drug is marketed as a nonprescription drug, under conditions of use comparable to the conditions specified in the request, for such period as the Secretary determines appropriate (not to exceed 5 consecutive years) pursuant to an application approved under section 505; and

''(ii) during such period, 1,000,000 retail packages of the drug, or an equivalent quantity as determined by the Secretary, were distributed for retail sale, as determined in such manner as the Secretary finds appropriate.

''(E) RULE OF APPLICATION.—Except in the case of a request involving a drug described in section 586(9), as in effect on January 1, 2017, if the Secretary refuses to file a request under this paragraph, the requestor may not file such request over protest under paragraph (5)(A)(iii).

''(7) PACKAGING.—An administrative order issued under paragraph (2), (4)(A), or (5) may include requirements for the packaging of a drug to encourage use in accordance with labeling. Such requirements may include unit dose packaging, requirements for products intended for use by pediatric populations, requirements to reduce risk of harm from unsupervised ingestion, and other appropriate requirements. This paragraph does not authorize the Food and Drug Administration to require standards or testing procedures as described in part 1700 of title 16, Code of Federal Regulations.

''(8) FINAL AND TENTATIVE FINAL MONOGRAPHS FOR CATEGORY I DRUGS DEEMED FINAL ADMINISTRATIVE ORDERS.—

''(A) IN GENERAL.—A final monograph or tentative final monograph described in subparagraph (B) shall be deemed to be a final administrative order under this subsection and may be amended, revoked, or otherwise modified in accordance with the procedures of this subsection.

''(B) MONOGRAPHS DESCRIBED.—For purposes of subparagraph (A), a final monograph or tentative final monograph is described in this subparagraph if it—

''(i) establishes conditions of use for a drug described in paragraph (1) or (2) of subsection (a); and

''(ii) represents the most recently promulgated version of such conditions, including

as modified, in whole or in part, by any proposed or final rule.

''(C) DEEMED ORDERS INCLUDE HARMONIZING TECHNICAL AMENDMENTS.—The deemed establishment of a final administrative order under subparagraph (A) shall be construed to include any technical amendments to such order as the Secretary determines necessary to ensure that such order is appropriately harmonized, in terms of terminology or cross-references, with the applicable provisions of this Act (and regulations thereunder) and any other orders issued under this section.

''(c) PROCEDURE FOR MINOR CHANGES.—

''(1) IN GENERAL.—Minor changes in the dosage form of a drug that is described in paragraph (1) or (2) of subsection (a) or the subject of an order issued under subsection (b) may be made by a requestor without the issuance of an order under subsection (b) if—

''(A) the requestor maintains such information as is necessary to demonstrate that the change—

''(i) will not affect the safety or effectiveness of the drug; and

''(ii) will not materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product; and

''(B) the change is in conformity with the requirements of an applicable administrative order issued by the Secretary under paragraph (3).

''(2) ADDITIONAL INFORMATION.—

''(A) ACCESS TO RECORDS.—A sponsor shall submit records requested by the Secretary relating to such a minor change under section 704(a)(4), within 15 business days of receiving such a request, or such longer period as the Secretary may provide.

''(B) INSUFFICIENT INFORMATION.—If the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

''(i) may so inform the sponsor of the drug in writing; and

''(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

''(C) FAILURE TO SUBMIT SUFFICIENT INFORMATION.—If the sponsor fails to provide such additional information within a time prescribed by the Secretary, or if the Secretary determines that such additional information does not demonstrate that the change does not—

''(i) affect the safety or effectiveness of the drug; or

''(ii) materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product,

the drug as modified is a new drug under section 201(p) and shall be deemed to be misbranded under section 502(ee).

''(3) DETERMINING WHETHER A CHANGE WILL AFFECT SAFETY OR EFFECTIVENESS.—

''(A) IN GENERAL.—The Secretary shall issue one or more administrative orders specifying requirements for determining whether a minor change made by a sponsor pursuant to this subsection will affect the safety or effectiveness of a drug or materially affect the extent of absorption or other exposure to an active ingredient in the drug in comparison to a suitable reference product, together with guidance for applying those orders to specific dosage forms.

''(B) STANDARD PRACTICES.—The orders and guidance issued by the Secretary under subparagraph (A) shall take into account relevant public standards and standard practices for evaluating the quality of drugs, and may take into account the special needs of populations, including children.

''(d) CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE SECRETARY.—

''(1) IN GENERAL.—Subject to paragraph (2), any information, including reports of testing conducted on the drug or drugs involved, that is submitted by a requestor in connection with proceedings on an order under this section (including any minor change under subsection (c)) and is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code, shall not be disclosed to the public unless the requestor consents to that disclosure.

''(2) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall—

''(i) make any information submitted by a requestor in support of a request under subsection (b)(5)(A) available to the public not later than the date on which the proposed order is issued; and

''(ii) make any information submitted by any other person with respect to an order requested (or initiated by the Secretary) under subsection (b), available to the public upon such submission.

''(B) LIMITATIONS ON PUBLIC AVAILABILITY.—Information described in subparagraph (A) shall not be made public if—

''(i) the information pertains to pharmaceutical quality information, unless such information is necessary to establish standards under which a drug is generally recognized as safe and effective under section 201(p)(1);

''(ii) the information is submitted in a requestor-initiated request, but the requestor withdraws such request, in accordance with withdrawal procedures established by the Secretary, before the Secretary issues the proposed order;

''(iii) the Secretary requests and obtains the information under subsection (c) and such information is not submitted in relation to an order under subsection (b); or

''(iv) the information is of the type contained in raw datasets.

''(e) UPDATES TO DRUG LISTING INFORMATION.—A sponsor who makes a change to a drug subject to this section shall submit updated drug listing information for the drug in accordance with section 510(j) within 30 calendar days of the date when the drug is first commercially marketed, except that a sponsor who was the order requestor with respect to an order subject to subsection (b)(5)(C) (or a licensee, assignee, or successor in interest of such requestor) shall submit updated drug listing information on or before the date when the drug is first commercially marketed.

''(f) APPROVALS UNDER SECTION 505.—The provisions of this section shall not be construed to preclude a person from seeking or maintaining the approval of an application for a drug under sections 505(b)(1), 505(b)(2), and 505(j). A determination under this section that a drug is not subject to section 503(b)(1), is generally recognized as safe and effective under section 201(p)(1), and is not a new drug under section 201(p) shall constitute a finding that the drug is safe and effective that may be relied upon for purposes of an application under section 505(b)(2), so that the applicant shall be required to submit for purposes of such application only information needed to support any modification of the drug that is not covered by such determination under this section.

''(g) PUBLIC AVAILABILITY OF ADMINISTRATIVE ORDERS.—The Secretary shall establish, maintain, update (as determined necessary by the Secretary but no less frequently than annually), and make publicly available, with respect to orders issued under this section—

''(1) a repository of each final order and interim final order in effect, including the complete text of the order; and

''(2) a listing of all orders proposed and under development under subsection (b)(2), including—

''(A) a brief description of each such order; and

''(B) the Secretary's expectations, if resources permit, for issuance of proposed orders over a 3-year period.

''(h) DEVELOPMENT ADVICE TO SPONSORS OR REQUESTORS.—The Secretary shall establish procedures under which sponsors or requestors may meet with appropriate officials of the Food and Drug Administration to obtain advice on the studies and other information necessary to support submissions under this section and other matters relevant to the regulation of nonprescription drugs and the development of new nonprescription drugs under this section.

''(i) PARTICIPATION OF MULTIPLE SPONSORS OR REQUESTORS.—The Secretary shall establish procedures to facilitate efficient participation by multiple sponsors or requestors in proceedings under this section, including provision for joint meetings with multiple sponsors or requestors or with organizations nominated by sponsors or requestors to represent their interests in a proceeding.

''(j) ELECTRONIC FORMAT.—All submissions under this section shall be in electronic format.

''(k) EFFECT ON EXISTING REGULATIONS GOVERNING NONPRESCRIPTION DRUGS.—

''(1) REGULATIONS OF GENERAL APPLICABILITY TO NONPRESCRIPTION DRUGS.—Except as provided in this subsection, nothing in this section supersedes regulations establishing general requirements for nonprescription drugs, including regulations of general applicability contained in parts 201, 250, and 330 of title 21, Code of Federal Regulations, or any successor regulations. The Secretary shall establish or modify such regulations by means of rulemaking in accordance with section 553 of title 5, United States Code.

''(2) REGULATIONS ESTABLISHING REQUIREMENTS FOR SPECIFIC NONPRESCRIPTION DRUGS.—

''(A) The provisions of section 310.545 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section, shall be deemed to be a final order under subsection (b).

''(B) Regulations in effect on the day before the date of the enactment of this section, establishing requirements for specific nonprescription drugs marketed pursuant to this section (including such requirements in parts 201 and 250 of title 21, Code of Federal Regulations), shall be deemed to be final orders under subsection (b), only as they apply to drugs—

''(i) subject to paragraph (1), (2), (3), or (4) of subsection (a); or

''(ii) otherwise subject to an order under this section.

''(3) WITHDRAWAL OF REGULATIONS.—The Secretary shall withdraw regulations establishing final monographs and the procedures governing the over-the-counter drug review under part 330 and other relevant parts of title 21, Code of Federal Regulations (as in effect on the day before the date of the enactment of this section), or make technical changes to such regulations to ensure conformity with appropriate terminology and cross references. Notwithstanding subchapter II of chapter 5 of title 5, United States Code, any such withdrawal or technical changes shall be made without public notice and comment and shall be effective upon publication through notice in the Federal Register (or upon such date as specified in such notice).

''(1) GUIDANCE.—The Secretary shall issue guidance that specifies—

''(1) the procedures and principles for formal meetings between the Secretary and sponsors or requestors for drugs subject to this section;

''(2) the format and content of data submissions to the Secretary under this section;

''(3) the format of electronic submissions to the Secretary under this section;

''(4) consolidated proceedings for appeal and the procedures for such proceedings where appropriate; and

''(5) for minor changes in drugs, recommendations on how to comply with the requirements in orders issued under subsection (c)(3).

''(m) RULE OF CONSTRUCTION.—

''(1) IN GENERAL.—This section shall not affect the treatment or status of a nonprescription drug—

''(A) that is marketed without an application approved under section 505 as of the date of the enactment of this section;

''(B) that is not subject to an order issued under this section; and

''(C) to which paragraphs (1), (2), (3), (4), or (5) of subsection (a) do not apply.

''(2) TREATMENT OF PRODUCTS PREVIOUSLY FOUND TO BE SUBJECT TO TIME AND EXTENT REQUIREMENTS.—

''(A) Notwithstanding subsection (a), a drug described in subparagraph (B) may only be lawfully marketed, without an application approved under section 505, pursuant to an order issued under this section.

''(B) A drug described in this subparagraph is a drug which, prior to the date of the enactment of this section, the Secretary determined in a proposed or final rule to be ineligible for review under the OTC drug review (as such phrase 'OTC drug review' was used in section 330.14 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section).

''(3) PRESERVATION OF AUTHORITY.—

''(A) Nothing in paragraph (1) shall be construed to preclude or limit the applicability of any provision of this Act other than this section.

''(B) Nothing in subsection (a) shall be construed to prohibit the Secretary from issuing an order under this section finding a drug to be not generally recognized as safe and effective under section 201(p)(1), as the Secretary determines appropriate.

''(n) INVESTIGATIONAL NEW DRUGS.—A drug is not subject to this section if an exemption for investigational use under section 505(i) is in effect for such drug.

''(o) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

''(p) INAPPLICABILITY OF NOTICE AND COMMENT RULEMAKING AND OTHER REQUIREMENTS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the requirements of subchapter II of chapter 5 of title 5, United States Code.

''(q) DEFINITIONS.—In this section:

''(1) The term 'nonprescription drug' refers to a drug not subject to the requirements of section 503(b)(1).

''(2) The term 'sponsor' refers to any person marketing, manufacturing, or processing a drug that—

''(A) is listed pursuant to section 510(j); and

''(B) is or will be subject to an administrative order under this section of the Food and Drug Administration.

''(3) The term 'requestor' refers to any person or group of persons marketing, manufacturing, processing, or developing a drug.''.

(b) GAO STUDY.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a study to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate addressing the effectiveness and overall impact of exclusivity under section 505G of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), and section 586C of such Act (21 U.S.C. 360fff–3), including the impact of such exclusivity on consumer access. Such study shall include—

(1) an analysis of the impact of exclusivity under such section 505G for nonprescription drug products, including—

(A) the number of nonprescription drug products that were granted exclusivity and the indication for which the nonprescription drug products were determined to be generally recognized as safe and effective;

(B) whether the exclusivity for such drug products was granted for—

(i) a new active ingredient (including any ester or salt of the active ingredient); or

(ii) changes in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor were essential;

(C) whether, and to what extent, the exclusivity impacted the requestor's or sponsor's decision to develop the drug product;

(D) an analysis of the implementation of the exclusivity provision in such section 505G, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the nonprescription drug market;

(iii) the impact of such provision on competition in the nonprescription drug market;

(iv) the impact of such provision on consumer access to nonprescription drug products;

(v) the impact of such provision on the prices of nonprescription drug products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been sufficient to encourage the development of nonprescription drug products that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 505G have been sufficient incentive to encourage innovation in the nonprescription drug market; and

(2) an analysis of the impact of exclusivity under such section 586C for sunscreen ingredients, including—

(A) the number of sunscreen ingredients that were granted exclusivity and the specific ingredient that was determined to be generally recognized as safe and effective;

(B) whether, and to what extent, the exclusivity impacted the requestor's or sponsor's decision to develop the sunscreen ingredient;

(C) whether, and to what extent, the sunscreen ingredient granted exclusivity had previously been available outside of the United States;

(D) an analysis of the implementation of the exclusivity provision in such section 586C, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the sunscreen market;

(iii) the impact of such provision on competition in the sunscreen market;

(iv) the impact of such provision on consumer access to sunscreen products;

(v) the impact of such provision on the prices of sunscreen products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been utilized by sunscreen ingredient sponsors and whether such process has been sufficient to encourage the development of sunscreen ingredients that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 586C have been sufficient incentive to encourage innovation in the sunscreen market.

(c) CONFORMING AMENDMENT.—Section 751(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379r(d)(1)) is amended—

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

(A) by striking ''final regulation promulgated'' and inserting ''final order under section 505G''; and

(B) by striking ''and not misbranded''; and

(2) in subparagraph (A), by striking ''regulation in effect'' and inserting ''regulation or order in effect''.

SEC. 1002. MISBRANDING.

Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

''(ee) If it is a nonprescription drug that is subject to section 505G, is not the subject of an application approved under section 505, and does not comply with the requirements under section 505G.

''(ff) If it is a drug and it was manufactured, prepared, propagated, compounded, or processed in a facility for which fees have not been paid as required by section 744M.''.

SEC. 1003. DRUGS EXCLUDED FROM THE OVER-THE-COUNTER DRUG REVIEW.

(a) IN GENERAL.—Nothing in this Act (or the amendments made by this Act) shall apply to any nonprescription drug (as defined in section 505G(q) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act) which was excluded by the Food and Drug Administration from the Over-the-Counter Drug Review in accordance with the paragraph numbered 25 on page 9466 of volume 37 of the Federal Register, published on May 11, 1972.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the applicability of any other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

SEC. 1004. TREATMENT OF SUNSCREEN INNOVATION ACT.

(a) REVIEW OF NONPRESCRIPTION SUNSCREEN ACTIVE INGREDIENTS.—

(1) APPLICABILITY OF SECTION 505G FOR PENDING SUBMISSIONS.—

(A) IN GENERAL.—A sponsor of a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients that, as of the date of enactment of this Act, is subject to a proposed sunscreen order under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3) may elect, by means of giving written notification to the Secretary of Health and Human Services within 180 calendar days of the enactment of this Act, to transition into the review of such ingredient or combination of ingredients pursuant to the process set out in section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(B) ELECTION EXERCISED.—Upon receipt by the Secretary of Health and Human Services of a timely notification under subparagraph (A)—

(i) the proposed sunscreen order involved is deemed to be a request for an order under subsection (b) of section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act; and

(ii) such order is deemed to have been accepted for filing under subsection (b)(6)(A)(i) of such section 505G.

(C) ELECTION NOT EXERCISED.—If a notification under subparagraph (A) is not received by the Secretary of Health and Human Services within 180 calendar days of the date of enactment of this Act, the review of the proposed sunscreen order described in subparagraph (A)—

(i) shall continue under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3); and

(ii) shall not be eligible for review under section 505G, added by section 1001 of this Act.

(2) DEFINITIONS.—In this subsection, the terms ''sponsor'', ''nonprescription'', ''sunscreen active ingredient'', and ''proposed sunscreen order'' have the meanings given to those terms in section 586 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff).

(b) AMENDMENTS TO SUNSCREEN PROVISIONS.—

(1) FINAL SUNSCREEN ORDERS.—Paragraph (3) of section 586C(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3(e)) is amended to read as follows:

''(3) RELATIONSHIP TO ORDERS UNDER SECTION 505G.—A final sunscreen order shall be deemed to be a final order under section 505G.''.

(2) MEETINGS.—Paragraph (7) of section 586C(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3(b)) is amended—

(A) by striking ''A sponsor may request'' and inserting the following:

''(A) IN GENERAL.—A sponsor may request''; and

(B) by adding at the end the following:

''(B) CONFIDENTIAL MEETINGS.—A sponsor may request one or more confidential meetings with respect to a proposed sunscreen order, including a letter deemed to be a proposed sunscreen order under paragraph (3), to discuss matters relating to data requirements to support a general recognition of safety and effectiveness involving confidential information and public information related to such proposed sunscreen order, as appropriate. The Secretary shall convene a confidential meeting with such sponsor in a reasonable time period. If a sponsor requests more than one confidential meeting for the same proposed sunscreen order, the Secretary may refuse to grant an additional confidential meeting request if the Secretary determines that such additional confidential meeting is not reasonably necessary for the sponsor to advance its proposed sunscreen order, or if the request for a confidential meeting fails to include sufficient information upon which to base a substantive discussion. The Secretary shall publish a post-meeting summary of each confidential meeting under this subparagraph that does not disclose confidential commercial information or trade secrets. This subparagraph does not authorize the disclosure of confidential commercial information or trade secrets subject to 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.''.

(3) EXCLUSIVITY.—Section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3) is amended by adding at the end the following:

''(f) EXCLUSIVITY.—

''(1) IN GENERAL.—A final sunscreen order shall have the effect of authorizing solely the order requestor (or the licensees, assignees, or successors in interest of such requestor with respect to the subject of such request and listed under paragraph (5)) for a period of 18 months, to market a sunscreen ingredient under this section incorporating changes described in paragraph (2) subject to the limitations under paragraph (4), beginning on the date the requestor (or any licensees, assignees, or successors in interest of such requestor with respect to the subject of such request and listed under paragraph (5)) may lawfully market such sunscreen ingredient pursuant to the order.

''(2) CHANGES DESCRIBED.—A change described in this paragraph is a change subject to an order specified in paragraph (1) that permits a sunscreen to contain an active sunscreen ingredient not previously incorporated in a marketed sunscreen listed in paragraph (3).

''(3) MARKETED SUNSCREEN.—The marketed sunscreen ingredients described in this paragraph are sunscreen ingredients—

''(A) marketed in accordance with a final monograph for sunscreen drug products set forth at part 352 of title 21, Code of Federal Regulations (as published at 64 Fed. Reg. 27687); or

''(B) marketed in accordance with a final order issued under this section.

''(4) LIMITATIONS ON EXCLUSIVITY.—Only one 18-month period may be granted per ingredient under paragraph (1).

''(5) LISTING OF LICENSEES, ASSIGNEES, OR SUCCESSORS IN INTEREST.—Requestors shall submit to the Secretary at the time when a drug subject to such request is introduced or delivered for introduction into interstate commerce, a list of licensees, assignees, or successors in interest under paragraph (1).''.

(4) SUNSET PROVISION.—Subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff et seq.) is amended by adding at the end the following:

''SEC. 586H. SUNSET.

''This subchapter shall cease to be effective at the end of fiscal year 2022.''.

(5) TREATMENT OF FINAL SUNSCREEN ORDER.—The Federal Food, Drug, and Cosmetic Act is amended by striking section 586E of such Act (21 U.S.C. 360fff–5).

(c) TREATMENT OF AUTHORITY REGARDING FINALIZATION OF SUNSCREEN MONOGRAPH.—

(1) IN GENERAL.—

(A) REVISION OF FINAL SUNSCREEN ORDER.—Not later than November 26, 2019, the Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall amend and revise the final administrative order concerning nonprescription sunscreen (referred to in this subsection as the ''sunscreen order'') for which the content, prior to the date of enactment of this Act, was represented by the final monograph for sunscreen drug products set forth in part 352 of title 21, Code of Federal Regulations (as in effect on May 21, 1999).

(B) ISSUANCE OF REVISED SUNSCREEN ORDER; EFFECTIVE DATE.—A revised sunscreen order described in subparagraph (A) shall be—

(i) issued in accordance with the procedures described in section 505G(c)(2) of the Federal Food, Drug, and Cosmetic Act;

(ii) issued in proposed form not later than May 28, 2019;

(iii) effective not later than November 26, 2020; and

(iv) issued by the Secretary at least 1 year prior to the effective date of the revised order.

(2) REPORTS.—If a revised sunscreen order issued under paragraph (1) does not include provisions related to the effectiveness of various sun protection factor levels, and does not address all dosage forms known to the Secretary to be used in sunscreens marketed in the United States without a new drug application approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the rationale for omission of such provisions from such order, and a plan and timeline to compile any information necessary to address such provisions through such order.

(d) TREATMENT OF NON-SUNSCREEN TIME AND EXTENT APPLICATIONS.—

(1) IN GENERAL.—Any application described in section 586F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–6) that was submitted to the Secretary pursuant to section 330.14 of title 21, Code of Federal Regulations, as such provisions were in effect immediately prior to the date of enactment date of this Act, shall be extinguished as of such date of enactment, subject to paragraph (2).

(2) ORDER REQUEST.—Nothing in paragraph (1) precludes the submission of an order request under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act, with respect to a drug that was the subject of an application extinguished under paragraph (1).

SEC. 1005. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC COUGH AND COLD DRUGS.

(a) IN GENERAL.—Subject to subsection (c), the Secretary of Health and Human Services shall, beginning not later than 1 year after the date of enactment of this Act, annually submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a letter describing the progress of the Food and Drug Administration—

(1) in evaluating the cough and cold monograph described in subsection (b) with respect to children under age 6; and

(2) as appropriate, revising such cough and cold monograph to address such children through the order process under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(b) COUGH AND COLD MONOGRAPH DESCRIBED.—The cough and cold monograph described in this subsection consists of the conditions under which nonprescription drugs containing antitussive, expectorant, nasal decongestant, or antihistamine active ingredients (or combinations thereof) are generally recognized as safe and effective, as specified in part 341 of title 21, Code of Federal Regulations (as in effect immediately prior to the date of enactment of this Act), and included in an order deemed to be established under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(c) DURATION OF AUTHORITY.—The requirement under subsection (a) shall terminate as of the date of a letter submitted by the Secretary of Health and Human Services pursuant to such subsection in which the Secretary indicates that the Food and Drug Administration has completed its evaluation and revised, in a final order, as applicable, the cough and cold monograph as described in subsection (a)(2).

SEC. 1006. TECHNICAL CORRECTIONS.

(a) IMPORTS AND EXPORTS.—Section 801(e)(4)(E)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(4)(E)(iii)) is amended by striking ''subparagraph'' each place such term appears and inserting ''paragraph''.

(b) FDA REAUTHORIZATION ACT OF 2017.—

(1) IN GENERAL.—Section 905(b)(4) of the FDA Reauthorization Act of 2017 (Public Law115–52) is amended by striking ''Section 744H(e)(2)(B)'' and inserting ''Section 744H(f)(2)(B)''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as of the enactment of the FDA Reauthorization Act of 2017 (Public Law 115–52).

TITLE II—USER FEES

SEC. 2001. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Over-the-Counter Monograph User Fee Act of 2018''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to OTC monograph drug activities, as set forth in the goals identified for purposes of part 10 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 2002. FEES RELATING TO OVER-THE-COUNTER DRUGS.

Subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended by inserting after part 9 the following:

''PART 10—FEES RELATING TO OVER-THE-COUNTER DRUGS

''SEC. 744L. DEFINITIONS.

''In this part:

''(1) The term 'affiliate' means a business entity that has a relationship with a second business entity if, directly or indirectly—

''(A) one business entity controls, or has the power to control, the other business entity; or

''(B) a third party controls, or has power to control, both of the business entities.

''(2) The term 'contract manufacturing organization facility' means an OTC monograph drug facility where neither the owner of such manufacturing facility nor any affiliate of such owner or facility sells the OTC monograph drug produced at such facility directly to wholesalers, retailers, or consumers in the United States.

''(3) The term 'costs of resources allocated for OTC monograph drug activities' means the expenses in connection with OTC monograph drug activities for—

''(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees, and costs related to such officers, employees, and committees and costs related to contracts with such contractors;

''(B) management of information, and the acquisition, maintenance, and repair of computer resources;

''(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

''(D) collecting fees under section 744M and accounting for resources allocated for OTC monograph drug activities.

''(4) The term 'FDA establishment identifier' is the unique number automatically generated by Food and Drug Administration's Field Accomplishments and Compliance Tracking System (FACTS) (or any successor system).

''(5) The term 'OTC monograph drug' means a nonprescription drug without an approved new drug application which is governed by the provisions of section 505G.

''(6) The term 'OTC monograph drug activities' means activities of the Secretary associated with OTC monograph drugs and inspection of facilities associated with such products, including the following activities:

''(A) The activities necessary for review and evaluation of OTC monographs and OTC monograph order requests, including—

''(i) orders proposing or finalizing applicable conditions of use for OTC monograph drugs;

''(ii) orders affecting status regarding general recognition of safety and effectiveness of an OTC monograph ingredient or combination of ingredients under specified conditions of use;

''(iii) all OTC monograph drug development and review activities, including intra-agency collaboration;

''(iv) regulation and policy development activities related to OTC monograph drugs;

''(v) development of product standards for products subject to review and evaluation;

''(vi) meetings referred to in section 505G(i);

''(vii) review of labeling prior to issuance of orders related to OTC monograph drugs or conditions of use; and

''(viii) regulatory science activities related to OTC monograph drugs.

''(B) Inspections related to OTC monograph drugs.

''(C) Monitoring of clinical and other research conducted in connection with OTC monograph drugs.

''(D) Safety activities with respect to OTC monograph drugs, including—

''(i) collecting, developing, and reviewing safety information on OTC monograph drugs, including adverse event reports;

''(ii) developing and using improved adverse event data-collection systems, including information technology systems; and

''(iii) developing and using improved analytical tools to assess potential safety risks, including access to external databases.

''(E) Other activities necessary for implementation of section 505G.

''(7) The term 'OTC monograph order request' means a request for an order submitted under section 505G(b)(5).

''(8) The term 'Tier 1 OTC monograph order request' means any OTC monograph order request not determined to be a Tier 2 OTC monograph order request.

''(9)(A) The term 'Tier 2 OTC monograph order request' means, subject to subparagraph (B), an OTC monograph order request for—

''(i) the reordering of existing information in the drug facts label of an OTC monograph drug;

''(ii) the addition of information to the other information section of the drug facts label of an OTC monograph drug, as limited by section 201.66(c)(7) of title 21, Code of Federal Regulations (or any successor regulations);

''(iii) modification to the directions for use section of the drug facts label of an OTC monograph drug, if such changes conform to changes made pursuant to section 505G(c)(3)(A);

''(iv) the standardization of the concentration or dose of a specific finalized ingredient within a particular finalized monograph;

''(v) a change to ingredient nomenclature to align with nomenclature of a standards-setting organization; or

''(vi) addition of an interchangeable term in accordance with section 330.1 of title 21, Code of Federal Regulations (or any successor regulations).

''(B) The Secretary may, based on program implementation experience or other factors found appropriate by the Secretary, characterize any OTC monograph order request as a Tier 2 OTC monograph order request (including recharacterizing a request from Tier 1 to Tier 2) and publish such determination in a proposed order issued pursuant to section 505G.

''(10)(A) The term 'OTC monograph drug facility' means a foreign or domestic business or other entity that—

''(i) is—

''(I) under one management, either direct or indirect; and

''(II) at one geographic location or address engaged in manufacturing or processing the finished dosage form of an OTC monograph drug;

''(ii) includes a finished dosage form manufacturer facility in a contractual relationship with the sponsor of one or more OTC monograph drugs to manufacture or process such drugs; and

''(iii) does not include a business or other entity whose only manufacturing or processing activities are one or more of the following: production of clinical research supplies, testing, or placement of outer packaging on packages containing multiple products, for such purposes as creating multipacks, when each monograph drug product contained within the overpackaging is already in a final packaged form prior to placement in the outer overpackaging.

''(B) For purposes of subparagraph (A)(i)(II), separate buildings or locations within close proximity are considered to be at one geographic location or address if the activities conducted in such buildings or locations are—

''(i) closely related to the same business enterprise;

''(ii) under the supervision of the same local management; and

''(iii) under a single FDA establishment identifier and capable of being inspected by the Food and Drug Administration during a single inspection.

''(C) If a business or other entity would meet criteria specified in subparagraph (A), but for being under multiple management, the business or other entity is deemed to constitute multiple facilities, one per management entity, for purposes of this paragraph.

''(11) The term 'OTC monograph drug meeting' means any meeting regarding the content of a proposed OTC monograph order request.

''(12) The term 'person' includes an affiliate of a person.

''(13) The terms 'requestor' and 'sponsor' have the meanings given such terms in section 505G.

''SEC. 744M. AUTHORITY TO ASSESS AND USE OTC MONOGRAPH FEES.

''(a) TYPES OF FEES.—Beginning with fiscal year 2019, the Secretary shall assess and collect fees in accordance with this section as follows:

''(1) FACILITY FEE.—

''(A) IN GENERAL.—Each person that owns a facility identified as an OTC monograph drug facility on December 31 of the fiscal year or at any time during the preceding 12-month period shall be assessed an annual fee for each such facility as determined under subsection (c).

''(B) EXCEPTIONS.—

''(i) A fee shall not be assessed under subparagraph (A) if the identified OTC monograph drug facility—

''(I) has ceased all activities related to OTC monograph drugs prior to January 31, 2019, for the first program year, and December 31 of the fiscal year for subsequent fiscal years; and

''(II) has updated its registration to reflect such change under the requirements for drug establishment registration set forth in section 510.

''(ii) The amount of the fee for a contract manufacturing organization facility shall be equal to two-thirds of the amount of the fee for an OTC monograph drug facility that is not a contract manufacturing organization facility.

''(C) AMOUNT.—The amount of fees established under subparagraph (A) shall be established under subsection (c).

''(D) DUE DATE.—

''(i) FOR FIRST PROGRAM YEAR.—For fiscal year 2019, the facility fees required under subparagraph (A) shall be due 45 calendar days after publication of the Federal Register notice provided for under subsection (c)(4)(A).

''(ii) SUBSEQUENT FISCAL YEARS.—For each fiscal year after fiscal year 2019, the facility fees required under subparagraph (A) shall be due on the later of—

''(I) the first business day of June of such year; or

''(II) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees under this section for such year.

''(2) OTC MONOGRAPH ORDER REQUEST FEE.—

''(A) IN GENERAL.—Each person that submits an OTC monograph order request shall be subject to a fee for an OTC monograph order request. The amount of such fee shall be—

''(i) for a Tier 1 OTC monograph order request, $500,000, adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)); and

''(ii) for a Tier 2 OTC monograph order request, $100,000 adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)).

''(B) DUE DATE.—The OTC monograph order request fees required under subparagraph (A) shall be due on the date of submission of the OTC monograph order request.

''(C) EXCEPTION FOR CERTAIN SAFETY CHANGES.—A person who is named as the requestor in an OTC monograph order shall not be subject to a fee under subparagraph (A) if the Secretary finds that the OTC monograph order request seeks to change the drug facts labeling of an OTC monograph drug in a way that would add to or strengthen—

''(i) a contraindication, warning, or precaution;

''(ii) a statement about risk associated with misuse or abuse; or

''(iii) an instruction about dosage and administration that is intended to increase the safe use of the OTC monograph drug.

''(D) REFUND OF FEE IF ORDER REQUEST IS RECATEGORIZED AS A TIER 2 OTC MONOGRAPH ORDER REQUEST.—If the Secretary determines that an OTC monograph request initially characterized as Tier 1 shall be re-characterized as a Tier 2 OTC monograph order request, and the requestor has paid a Tier 1 fee in accordance with subparagraph (A)(i), the Secretary shall refund the requestor the difference between the Tier 1 and Tier 2 fees determined under subparagraphs (A)(i) and (A)(ii), respectively.

''(E) REFUND OF FEE IF ORDER REQUEST REFUSED FOR FILING OR WITHDRAWN BEFORE FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any order request which is refused for filing or was withdrawn before being accepted or refused for filing.

''(F) FEES FOR ORDER REQUESTS PREVIOUSLY REFUSED FOR FILING OR WITHDRAWN BEFORE FILING.—An OTC monograph order request that was submitted but was refused for filing, or was withdrawn before being accepted or refused for filing, shall be subject to the full fee under subparagraph (A) upon being resubmitted or filed over protest.

''(G) REFUND OF FEE IF ORDER REQUEST WITHDRAWN.—If an order request is withdrawn after the order request was filed, the Secretary may refund the fee or a portion of the fee if no substantial work was performed on the order request after the application was filed. The Secretary shall have the sole discretion to refund a fee or a portion of the fee under this subparagraph. A determination by the Secretary concerning a refund under this subparagraph shall not be reviewable.

''(3) REFUNDS.—

''(A) IN GENERAL.—Other than refunds provided pursuant to any of subparagraphs (D) through (G) of paragraph (2), the Secretary shall not refund any fee paid under paragraph (1) except as provided in subparagraph (B).

''(B) DISPUTES CONCERNING FEES.—To qualify for the return of a fee claimed to have been paid in error under paragraph (1) or (2), a person shall submit to the Secretary a written request justifying such return within 180 calendar days after such fee was paid.

''(4) NOTICE.—Within the timeframe specified in subsection (c), the Secretary shall publish in the Federal Register the amount of the fees under paragraph (1) for such fiscal year.

''(b) FEE REVENUE AMOUNTS.—

''(1) FISCAL YEAR 2019.—For fiscal year 2019, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

''(A) the annual base revenue for fiscal year 2019 (as determined under paragraph (3));

''(B) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2)); and

''(C) additional direct cost adjustments (as determined under subsection (c)(3)).

''(2) SUBSEQUENT FISCAL YEARS.—For each of the fiscal years 2020 through 2023, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

''(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

''(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

''(C) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2));

''(D) additional direct cost adjustments (as determined under subsection (c)(3)); and

''(E) additional dollar amounts for each fiscal year as follows:

''(i) $7,000,000 for fiscal year 2020.

''(ii) $6,000,000 for fiscal year 2021.

''(iii) $7,000,000 for fiscal year 2022.

''(iv) $3,000,000 for fiscal year 2023.

''(3) ANNUAL BASE REVENUE.—For purposes of paragraphs (1)(A) and (2)(A), the dollar amount of the annual base revenue for a fiscal year shall be—

''(A) for fiscal year 2019, $8,000,000; and

''(B) for fiscal years 2020 through 2023, the dollar amount of the total revenue amount established under this subsection for the previous fiscal year, not including any adjustments made under subsection (c)(2) or (c)(3).

''(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

''(1) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment to the annual base revenue for fiscal year 2020 and each subsequent fiscal year shall be equal to the product of—

''(i) such annual base revenue for the fiscal year under subsection (b)(2); and

''(ii) the inflation adjustment percentage under subparagraph (C).

''(B) OTC MONOGRAPH ORDER REQUEST FEES.—For purposes of subsection (a)(2), the dollar amount of the inflation adjustment to the fee for OTC monograph order requests for fiscal year 2020 and each subsequent fiscal year shall be equal to the product of—

''(i) the applicable fee under subsection (a)(2) for the preceding fiscal year; and

''(ii) the inflation adjustment percentage under subparagraph (C).

''(C) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to—

''(i) for each of fiscal years 2020 and 2021, the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data; and

''(ii) for each of fiscal years 2022 and 2023, the sum of—

''(I) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years; and

''(II) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years.

''(2) OPERATING RESERVE ADJUSTMENT.—

''(A) IN GENERAL.—For fiscal year 2019 and subsequent fiscal years, for purposes of subsections (b)(1)(B) and (b)(2)(C), the Secretary may, in addition to adjustments under paragraph (1), further increase the fee revenue and fees if such an adjustment is necessary to provide operating reserves of carryover user fees for OTC monograph drug activities for not more than the number of weeks specified in subparagraph (B).

''(B) NUMBER OF WEEKS.—The number of weeks specified in this subparagraph is—

''(i) 3 weeks for fiscal year 2019;

''(ii) 7 weeks for fiscal year 2020;

''(iii) 10 weeks for fiscal year 2021;

''(iv) 10 weeks for fiscal year 2022; and

''(v) 10 weeks for fiscal year 2023.

''(C) DECREASE.—If the Secretary has carryover balances for such process in excess of 10 weeks of the operating reserves referred to in subparagraph (A), the Secretary shall decrease the fee revenue and fees referred to in such subparagraph to provide for not more than 10 weeks of such operating reserves.

''(D) RATIONALE FOR ADJUSTMENT.—If an adjustment under this paragraph is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (4) establishing fee revenue and fees for the fiscal year involved.

''(3) ADDITIONAL DIRECT COST ADJUSTMENT.—The Secretary shall, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees for purposes of subsection (b)(2)(D) by an amount equal to—

''(A) $14,000,000 for fiscal year 2019;

''(B) $7,000,000 for fiscal year 2020;

''(C) $4,000,000 for fiscal year 2021;

''(D) $3,000,000 for fiscal year 2022; and

''(E) $3,000,000 for fiscal year 2023.

''(4) ANNUAL FEE SETTING.—

''(A) FISCAL YEAR 2019.—The Secretary shall, not later than the second Monday in March of 2019—

''(i) establish OTC monograph drug facility fees for fiscal year 2019 under subsection (a), based on the revenue amount for such year under subsection (b) and the adjustments provided under this subsection; and

''(ii) publish fee revenue, facility fees, and OTC monograph order requests in the Federal Register.

''(B) SUBSEQUENT FISCAL YEARS.—The Secretary shall, not later than the second Monday in March of each fiscal year that begins after September 30, 2019—

''(i) establish for each such fiscal year, based on the revenue amounts under subsection (b) and the adjustments provided under this subsection—

''(I) OTC monograph drug facility fees under subsection (a)(1); and

''(II) OTC monograph order request fees under subsection (a)(2); and

''(ii) publish such fee revenue amounts, facility fees, and OTC monograph order request fees in the Federal Register.

''(d) IDENTIFICATION OF FACILITIES.—Each person that owns an OTC monograph drug facility shall submit to the Secretary the information required under this subsection each year. Such information shall, for each fiscal year—

''(1) be submitted as part of the requirements for drug establishment registration set forth in section 510; and

''(2) include for each such facility, at a minimum, identification of the facility's business operation as that of an OTC monograph drug facility.

''(e) EFFECT OF FAILURE TO PAY FEES.—

''(1) OTC MONOGRAPH DRUG FACILITY FEE.—

''(A) IN GENERAL.—Failure to pay the fee under subsection (a)(1) within 20 calendar days of the due date as specified in subparagraph (D) of such subsection shall result in the following:

''(i) The Secretary shall place the facility on a publicly available arrears list.

''(ii) All OTC monograph drugs manufactured in such a facility or containing an ingredient manufactured in such a facility shall be deemed misbranded under section 502(ff).

''(B) APPLICATION OF PENALTIES.—The penalties under this paragraph shall apply until the fee established by subsection (a)(1) is paid.

''(2) ORDER REQUESTS.—An OTC monograph order request submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person under this section have been paid.

''(3) MEETINGS.—A person subject to fees under this section shall be considered ineligible for OTC monograph drug meetings until all such fees owed by such person have been paid.

''(f) CREDITING AND AVAILABILITY OF FEES.—

''(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for OTC monograph drug activities.

''(2) COLLECTIONS AND APPROPRIATION ACTS.—

''(A) IN GENERAL.—Subject to subparagraph (C), the fees authorized by this section shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation, for such fiscal year.

''(B) USE OF FEES AND LIMITATION.—The fees authorized by this section shall be available to defray increases in the costs of the resources allocated for OTC monograph drug activities (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such activities), only if the Secretary allocates for such purpose an amount for such fiscal year (excluding amounts from fees collected under this section) no less than $12,000,000, multiplied by the adjustment factor applicable to the fiscal year involved under subsection (c)(1).

''(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) in any fiscal year if the costs funded by appropriations and allocated for OTC monograph drug activities are not more than 15 percent below the level specified in such subparagraph.

''(D) PROVISION FOR EARLY PAYMENTS IN SUBSEQUENT YEARS.—Payment of fees authorized under this section for a fiscal year (after fiscal year 2019), prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

''(3) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2019 through 2023, there is authorized to be appropriated for fees under this section an amount equal to the total amount of fees assessed for such fiscal year under this section.

''(g) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 calendar days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.

''(h) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employers, and advisory committees not engaged in OTC monograph drug activities, be reduced to offset the number of officers, employees, and advisory committees so engaged.

''SEC. 744N. REAUTHORIZATION; REPORTING REQUIREMENTS.

''(a) PERFORMANCE REPORT.—Beginning with fiscal year 2019, and not later than 120 calendar days after the end of each fiscal year thereafter for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 2001(b) of the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018 during such fiscal year and the future plans of the Food and Drug Administration for meeting such goals.

''(b) FISCAL REPORT.—Not later than 120 calendar days after the end of fiscal year 2019 and each subsequent fiscal year for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected for such fiscal year.

''(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the internet website of the Food and Drug Administration.

''(d) REAUTHORIZATION.—

''(1) CONSULTATION.—In developing recommendations to present to the Congress with respect to the goals described in subsection (a), and plans for meeting the goals, for OTC monograph drug activities for the first 5 fiscal years after fiscal year 2023, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

''(A) the Committee on Energy and Commerce of the House of Representatives;

''(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

''(C) scientific and academic experts;

''(D) health care professionals;

''(E) representatives of patient and consumer advocacy groups; and

''(F) the regulated industry.

''(2) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

''(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

''(B) publish such recommendations in the Federal Register;

''(C) provide for a period of 30 calendar days for the public to provide written comments on such recommendations;

''(D) hold a meeting at which the public may present its views on such recommendations; and

''(E) after consideration of such public views and comments, revise such recommendations as necessary.

''(3) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2023, the Secretary shall transmit to the Congress the revised recommendations under paragraph (2), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentlewoman from California (Ms. ESHOO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 7328 includes both the Pandemic and All-Hazards Preparedness Act and the Over-the-Counter Monograph reform language. Both of these bills have passed this House separately, and this today in front of us includes bipartisan, bicameral agreements on these programs. Passage of this bill is critical to our national security; and on this 100-year anniversary of the Spanish flu, I can think of no more appropriate piece of legislation to be considering.

I urge all Members to support the bill, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 7328. This is a good bill. I think it is an

important one. It is the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018. Kind of a mouthful, but what it does is it streamlines how over-the-counter drugs are regulated. This will enable the FDA, the Food and Drug Administration, to act faster to address safety issues associated with over-the-counter drugs and bring innovative over-the-counter drugs to market.

The legislation will also establish a new user fee program to provide the FDA with reliable and stable funding to implement the reforms in this bill. These user fees are already in place with the pharmaceutical industry, with others. It works very well, and it allows hiring the necessary additional staff to oversee the over-the-counter market.

This updated legislation, very importantly, reflects that it is both bipartisan and bicameral, and I urge the entire House to support the bill.

I also want to point out that, rolled into this bill, H.R. 7328, is what we call PAHPA, the Pandemic and All-Hazards Preparedness and Advancing Innovation Act. I am very proud to have authored this originally in a past Congress. But also my partner in this Congress has been Congresswoman SUSAN BROOKS. I couldn't ask for a finer partner.

The legislation really reflects months of negotiations and compromise reached by both the House and the Senate, and the bill makes important updates to, as I said, the over-the-counter monograph program.

What we are considering in terms of this particular bill is an update, and it directs Federal agencies to respond to new and emerging threats and strengthens our Nation's existing preparedness and response programs. This has a great deal to do with our national security, and that is why it is so important.

The legislation not only reauthorizes critical programs to allow our country to be prepared to respond to naturally occurring and manmade disasters—and we know these threats are real—but it also meets the challenges that we face today and those that we anticipate facing in the future.

I am very glad that this legislation was rolled into H.R. 7328, and I once again want to salute the work that Congresswoman SUSAN BROOKS did on this particular bill that is part of H.R. 7328.

Mr. Speaker, I have two speakers on my side, but I will reserve the balance of my time.

The SPEAKER pro tempore. The gentlewoman from California has the only time remaining. The gentleman from Texas has yielded back the balance of his time.

Ms. ESHOO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL), my friend and colleague.

Mrs. DINGELL. Mr. Speaker, I rise in strong support of H.R. 7328, and I thank all of my colleagues for the very hard work that has gone into this.

This important bill reauthorizes the Pandemics and All-Hazards Preparedness Act, and it also gives the FDA revenue and authority to improve their oversight of the over-the-counter drugs.

Although the hour is late, I am very glad we are sending this bill to the Senate today, and I urge my colleagues to quickly pass this bill before the 115th Congress expires. I know we all want it to expire, but we can do some good things before it does.

Today, 60 percent of all medicines sold in the U.S. are over the counter; yet the FDA has only 18 full-time employees overseeing that entire market. That is not reflective of the way that our healthcare systems run, and it is putting patients at risk every single day.

Our bill reforms the system for the better by creating a new user fee program to give the FDA resources it needs to improve public health, and it allows the agency to update OTC monographs by administrative order rather than the ineffective rulemaking process we have been watching. This will be a big win for patients, who will benefit from the improved safety of their products, as well as the industry, as they will have a reliable pathway to bring new, innovative products to market. We haven't seen a new sunscreen on the market in more than a decade.

I want to thank all of my colleagues on both sides of the aisle in the Energy and Commerce Committee for all of the time and the effort they put into this legislation. I especially want to thank Kim Trzeciak of the committee staff for all of her hard work.

Let's get this done before we go home for the holidays. I urge my colleagues to support H.R. 7328.

Ms. ESHOO. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, today we have an opportunity, as well as the wonderful items in this bill that Mrs. DINGELL talked about, to make long overdue reforms to the way that the Food and Drug Administration reviews over-the-counter medicines.

Nearly 7 in 10 parents report giving their children an OTC medicine to help treat a sudden medical symptom. Similarly, 81 percent of adults use OTC drugs as a first response to a minor ailment.

Despite the widespread use of these medicines, though, the FDA is forced to use a cumbersome and archaic monograph pathway for review and approval. This antiquated, 40-year review system does not keep pace with recent medical advances and the burgeoning of the OTC market, which now has over 300,000 drugs. As a result, the current monograph fails to respond to OTC safety issues in a timely and effective manner.

During the 2 years between 2004 and 2005, the CDC reported 1,500 cases of children under the age of 2 visiting emergency rooms due to serious side effects of over-the-counter drugs of cough and cold products. Since this finding, the FDA has been trying to revise the cough and cold monograph to warn parents about the risks that these common drugs can cause. But the FDA can't do that because they are hamstrung due to the burdensome process it has to undergo to revise these monographs.

This bill, H.R. 7328, which I worked on with my colleagues, Mr. LATTA, Mrs. DINGELL, Mr. GREEN, Mr. BURGESS, and Mr. GUTHRIE, is a rare triple win because it helps regulators, consumers, and industry:

It modernizes an outdated FDA process;

It ensures consumers get access to safe and effective over-the-counter drugs;

It provides industry with the certainty to innovate and develop cutting-edge OTC products; and

It gives the FDA the tools and resources to remove dangerous and ineffective products from the market.

Let's pass this bill right now, and let's urge the Senate to get something done and pass this before the Congress ends.

Ms. ESHOO. Mr. Speaker, I yield myself such time as I may consume.

I don't have any other speakers, but let me just close by saying I think that, between the chairman of our subcommittee and my two colleagues and their remarks—and mine included—that these are very good bills that are going to accomplish good things for the American people. So whether it is what was rolled into H.R. 7328—PAHPA and the underlying bill, the Over-the-Counter Monograph Safety, Innovation, and Reform Act—I feel very confident that, with its passage, we will have accomplished something that is excellent for the American people.

Mr. Speaker, I yield back the balance of my time.

Mr. LATTA. Mr. Speaker, I rise today in support of H.R. 7328, which includes the bill I authored, H.R. 5333, the Over-the-Counter Monograph Safety, Innovation, and Reform Act.

With more than 240 million Americans using OTC products every year, it is time to update and complete the outdated regulatory framework used for oversight of these medicines.

This bill will modernize the broken monograph system, strengthen consumer protection, spur innovation, and increase consumer choice.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to speak in support of my bill—the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018 or PAHPA. I'm proud to have introduced this important bill with my good friend Representative ANNA ESHOO who was one of the original authors of the 2006 PAHPA bill and lead author of the last reauthorization in 2013.

This bipartisan public health and national security effort will ensure our nation is better prepared to respond to natural disasters like hurricanes, emerging infectious diseases like

Zika or Ebola, and chemical, biological, radiological or nuclear attacks whether from terrorist groups or from nation states.

The threats we face are not hypothetical.

Since August of this year, 315 people in the Democratic Republic of Congo have died from Ebola. The ongoing Ebola outbreak in the Democratic Republic of Congo is now the second largest outbreak in history. More than 530 cases have been reported with 18 new confirmed cases over the weekend.

Thanks to PAHPA and the 21st Century Cures Act, we are more prepared for biological threats and attacks. In July, the FDA approved the first drug to treat smallpox—TPOXX. But, TPOXX is not the only recent approval at the FDA. On July 10th, the FDA approved an autoinjector which provides a one-time dose of an antidote to block effects of a nerve agent. This new antidote and TPOXX will help protect Americans from biological attacks.

But, PAHPA is much more than just a biodefense bill. It also helps ensure a coordinated health care response to hurricanes. During the 2017 hurricane season, Hurricanes Florence, Harvey, Irma, Jose, and Maria killed hundreds of Americans and showed us that we need to do better to prioritize the needs of every person in our communities. The PAHPA bill we are considering today does that by prioritizing our nation's most vulnerable populations—our children, senior citizens, and people with disabilities. It reauthorizes the advisory committee focused on the specific needs of children, and creates NEW advisory committees to ensure the needs of the elderly and people with disabilities are considered.

The bill provides liability protections for doctors who volunteer after a medical disaster. In addition to these Good Samaritan provisions, the bill also ensures more health care professionals like nurses and doctors can be hired and trained when facing a public health crisis by strengthening the National Disaster Medical System, which provides grants to our regional health care network. It also ensures we have a robust supply of vaccines, basic equipment like gloves, hazmat suits, masks and more in our Strategic National Stockpiles located all across the country, so these professionals have the equipment they need.

PAHPA ensures our preparedness and response capabilities will include a robust pipeline of medical countermeasures by reauthorizing and increasing funding for the BioShield Special Reserve Fund and BARDA—the Biomedical Advanced Research and Development Authority. BARDA's work over the last decade has resulted in FDA approvals for more than 42 different medical countermeasures. The development of medical countermeasures is a lengthy and often risky endeavor, which is why sending a clear signal that BARDA remains a strong and committed partner with academic institutions and the private sector in these efforts is so important.

In September, we saw another example of the success of research funded by BARDA when the FDA approved ReCell—the first spray on skin product ever approved for use in the United States. This new treatment will help treat burn victims so that they can heal faster and with less risk of infection from painful skin grafts. By using a piece of a patient's skin about the size of a credit card, a doctor can turn it into a single cell based solution that can be sprayed over the patient's burns so that new skin can grow and replace the damaged and burnt skin.

While the investments BARDA is making into innovative research and new treatments are critical, it is also important that we continue to address threats that have been around for years. It has been 100 years since the 1918 pandemic influenza killed millions of people around the globe including 675,000 in the United States. Some experts predict that we are due for another global pandemic influenza. To address that threat, the bill we are considering today authorizes $250 million for the Assistant Secretary for Preparedness and Response (the ASPR) to address threats like pandemic influenza. Specifically, the bill directs the ASPR to work to increase manufacturing capacity and stockpile medical countermeasures. While the PAHPA bill we are considering today authorizes funding for research into known threats like pandemic influenza it also maintains the flexibility that is the foundation of our medical countermeasure enterprise to deal with unknown threats for which we may have no defense today.

The PAHPA reauthorization bill we are considering is the process of months of committee work in both the House and Senate. I cannot emphasize enough how critically important it is to reauthorize PAHPA this year, and I encourage the Senate to quickly take up and pass H.R. 7328.

I would urge all Members to support this critical piece of legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 7328.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1200

ASHANTI ALERT ACT OF 2018

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ashanti Alert Act of 2018''.

SEC. 2. ESTABLISHMENT OF ASHANTI ALERT COMMUNICATIONS NETWORK.

Kristen's Act (Public Law 106–468; 114 Stat. 2027) is amended—

(1) by inserting before section 2 (34 U.S.C. 40504) the following:

''TITLE I—GRANTS'';

(2) by redesignating sections 2 (34 U.S.C. 40504) and 3 (34 U.S.C. 40504 note) as sections 101 and 102, respectively;

(3) in section 101(b), as so redesignated, by striking ''this Act'' and inserting ''this title'';

(4) in section 102, as so redesignated, by striking ''this Act'' and inserting ''this title''; and

(5) by adding at the end the following:

''TITLE II—ASHANTI ALERT COMMUNICATIONS NETWORK

''SEC. 201. DEFINITIONS.

''In this title:

''(1) AMBER ALERT COMMUNICATIONS NETWORK.—The term 'AMBER Alert communications network' means the AMBER Alert communications network established under subtitle A of title III of the PROTECT Act (34 U.S.C. 20501 et seq.).

''(2) ASHANTI ALERT.—The term 'Ashanti Alert' means an alert issued through the Ashanti Alert communications network, related to a missing adult.

''(3) ASHANTI ALERT COMMUNICATIONS NETWORK.—The term 'Ashanti Alert communications network' means the national communications network established by the Attorney General under section 202(a).

''(4) ASHANTI ALERT COORDINATOR OF THE DEPARTMENT OF JUSTICE; COORDINATOR.—The term 'Ashanti Alert Coordinator of the Department of Justice' or 'Coordinator' means the employee designated by the Attorney General to act as the national coordinator of the Ashanti Alert communications network under section 203(a).

''(5) ASHANTI ALERT PLAN.—The term 'Ashanti Alert plan' means a local element of the Ashanti Alert communications network.

''(6) INDIAN TRIBE.—The term 'Indian Tribe' means a federally recognized Indian Tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

''(7) MISSING ADULT.—The term 'missing adult' means an individual who—

''(A) is older than the age for which an alert may be issued through the AMBER Alert communications network in the State or territory of an Indian Tribe in which the individual is identified as a missing individual;

''(B) is identified by a law enforcement agency as a missing individual; and

''(C) meets the requirements to be designated as a missing adult, as determined by the State in which, or the Indian Tribe in the territory of which, the individual is identified as a missing individual.

''(8) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''SEC. 202. ASHANTI ALERT COMMUNICATIONS NETWORK.

''(a) IN GENERAL.—The Attorney General shall, subject to the availability of appropriations, establish a national communications network within the Office of Justice Programs of the Department of Justice to provide assistance to regional and local search efforts for missing adults through the initiation, facilitation, and promotion of local elements of the network, in coordination with States, Indian Tribes, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to adults.

''(b) INTEGRATION WITH EXISTING COMMUNICATIONS NETWORK.—In establishing the Ashanti Alert communications network under subsection (a), the Attorney General shall coordinate, when advisable, with missing person alert systems in existence as of the date of enactment of this title, such as the AMBER Alert communications network and Silver Alert communications networks.

''SEC. 203. ASHANTI ALERT COORDINATOR.

''(a) NATIONAL COORDINATOR WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall designate an employee of the Office of Justice

Programs of the Department of Justice to act as the national coordinator of the Ashanti Alert communications network.

''(b) DUTIES OF THE COORDINATOR.—In acting as the national coordinator of the Ashanti Alert communications network, the Coordinator shall—

''(1) work with States and Indian Tribes to encourage the development of additional Ashanti Alert plans in the network;

''(2) establish voluntary guidelines for States and Indian Tribes to use in developing Ashanti Alert plans that will promote compatible and integrated Ashanti Alert plans throughout the United States, including—

''(A) a list of the resources necessary to establish an Ashanti Alert plan;

''(B) criteria for evaluating whether a situation warrants issuing an Ashanti Alert, taking into consideration the need for the use of Ashanti Alerts to be limited in scope because the effectiveness of the Ashanti Alert communications network may be affected by overuse, including criteria to determine—

''(i) whether the mental capacity of an adult who is missing, and the circumstances of his or her disappearance, including any history of domestic violence, sexual assault, child abuse, or human trafficking, warrant the issuance of an Ashanti Alert; and

''(ii) whether the individual who reports that an adult is missing is an appropriate and credible source on which to base the issuance of an Ashanti Alert;

''(C) a description of the appropriate uses of the Ashanti Alert name to readily identify the nature of search efforts for missing adults; and

''(D) recommendations on how to protect the privacy, dignity, independence, autonomy, and safety of any missing adult who may be the subject of an Ashanti Alert;

''(3) develop proposed protocols for efforts to recover missing adults and to reduce the number of adults who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the adult is missing through the time of the return of the adult to family, guardian, or domicile, as appropriate, including—

''(A) public safety communications protocol;

''(B) case management protocol;

''(C) command center operations;

''(D) reunification protocol;

''(E) incident review, evaluation, debriefing, and public information procedures; and

''(F) protocols for declining to issue an Ashanti Alert;

''(4) work with States and Indian Tribes to ensure appropriate regional coordination of various elements of the network;

''(5) establish an advisory group to assist States, Indian Tribes, units of local government, law enforcement agencies, and other entities involved in the Ashanti Alert communications network with initiating, facilitating, and promoting Ashanti Alert plans, which shall include—

''(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

''(B) members who are—

''(i) representatives of adult citizen advocacy groups, law enforcement agencies, victim service providers (as defined in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), and public safety communications;

''(ii) broadcasters, first responders, dispatchers, and radio station personnel; and

''(iii) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the Ashanti Alert communications network; and

''(6) act as the nationwide point of contact for—

''(A) the development of the network; and

''(B) regional coordination of alerts for missing adults through the network.

''(c) COORDINATION.—

''(1) COORDINATION WITH OTHER AGENCIES.—The Coordinator shall coordinate and consult with the Secretary of Transportation, the Federal Communications Commission, the Assistant Secretary for Aging of the Department of Health and Human Services, and other appropriate offices of the Department of Justice, including the Office on Violence Against Women, in carrying out activities under this title.

''(2) STATE, TRIBAL, AND LOCAL COORDINATION.—The Coordinator shall consult with local broadcasters and State, Tribal, and local law enforcement agencies in establishing minimum standards under section 204 and in carrying out other activities under this title, as appropriate.

''(d) ANNUAL REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Coordinator shall submit to Congress a report on—

''(A) the activities of the Coordinator; and

''(B) the effectiveness and status of the Ashanti Alert plan of each State or Indian Tribe that has established or is in the process of establishing such a plan.

''(2) CONTENTS.—Each report under paragraph (1) shall include—

''(A) a list of each State or Indian Tribe that has established an Ashanti Alert plan;

''(B) a list of each State or Indian Tribe that is in the process of establishing an Ashanti Alert plan;

''(C) for each State or Indian Tribe that has established an Ashanti Alert plan, to the extent the data is available—

''(i) the number of Ashanti Alerts issued;

''(ii) the number of missing adults located successfully;

''(iii) the average period of time between the issuance of an Ashanti Alert and the location of the missing adult for whom the Alert was issued;

''(iv) the State or Tribal agency or authority issuing Ashanti Alerts, and the process by which Ashanti Alerts are disseminated;

''(v) the cost of establishing and operating the Ashanti Alert plan;

''(vi) the criteria used by the State or Indian Tribe to determine whether to issue an Ashanti Alert; and

''(vii) the extent to which missing adults for whom Ashanti Alerts were issued crossed State lines or territorial borders of an Indian Tribe;

''(D) actions States and Indian Tribes have taken to protect the privacy and dignity of the missing adults for whom Ashanti Alerts are issued;

''(E) ways that States and Indian Tribes have facilitated and improved communication about missing adults between families, caregivers, law enforcement officials, and other authorities; and

''(F) any other information the Coordinator determines to be appropriate.

''SEC. 204. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH ASHANTI ALERT COMMUNICATIONS NETWORK.

''(a) ESTABLISHMENT OF MINIMUM STANDARDS.—Subject to subsection (b), the Coordinator shall establish minimum standards for—

''(1) the issuance of alerts through the Ashanti Alert communications network; and

''(2) the extent of the dissemination of alerts issued through the Ashanti Alert communications network.

''(b) LIMITATIONS.—

''(1) DISSEMINATION OF INFORMATION.—The minimum standards established under subsection (a) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State, Tribal, and local law enforcement agencies), provide for the dissemination of appropriate information relating to the special needs of a missing adult (including health care needs) to the appropriate law enforcement, public health, and other public officials.

''(2) GEOGRAPHIC AREAS.—The minimum standards established under subsection (a) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State, Tribal, and local law enforcement agencies), provide that the dissemination of an alert through the Ashanti Alert communications network shall be limited to the geographic areas that the missing adult could reasonably reach, considering—

''(A) the circumstances and physical and mental condition of the missing adult;

''(B) the modes of transportation available to the missing adult; and

''(C) the circumstances of the disappearance.

''(3) OTHER REQUIREMENTS.—The minimum standards established under subsection (a) shall require that, in order for an Ashanti Alert to be issued for a missing adult, the missing adult—

''(A) suffers from a proven mental or physical disability, as documented by a source determined credible by an appropriate law enforcement agency; or

''(B) be missing under circumstances that indicate, as determined by an appropriate law enforcement agency—

''(i) that the physical safety of the missing adult may be endangered; or

''(ii) that the disappearance of the missing adult may not have been voluntary, including an abduction or kidnapping.

''(4) SAFETY, PRIVACY, AND CIVIL LIBERTIES PROTECTIONS.—The minimum standards established under subsection (a) shall—

''(A) ensure that alerts issued through the Ashanti Alert communications network comply with all applicable Federal, State, Tribal, and local privacy laws and regulations;

''(B) include standards that specifically provide for the protection of the civil liberties and sensitive medical information of missing adults; and

''(C) include standards requiring, as appropriate, a review of relevant court records, prior contacts with law enforcement, and other information relevant to the missing adult or the individual reporting, in order to provide protections against domestic violence.

''(5) STATE, TRIBAL, AND LOCAL VOLUNTARY COORDINATION.—In establishing minimum standards under subsection (a), the Coordinator may not interfere with the system of voluntary coordination between local broadcasters and State, Tribal, and local law enforcement agencies for purposes of regional and local search efforts for missing adults that was in effect on the day before the date of enactment of this title.

''SEC. 205. VOLUNTARY PARTICIPATION.

''The minimum standards established under section 204(a), and any other guidelines and programs established under section 203, shall be adoptable on a voluntary basis only.

''SEC. 206. TRAINING AND EDUCATIONAL PROGRAMS.

''The Coordinator shall make available to States, Indian Tribes, units of local government, law enforcement agencies, and other concerned entities that are involved in initiating, facilitating, or promoting Ashanti Alert plans, including broadcasters, first responders, dispatchers, public safety communications personnel, and radio station personnel—

''(1) training and educational programs related to the Ashanti Alert communications network and the capabilities, limitations, and anticipated behaviors of missing adults, which the Coordinator shall update regularly to encourage the use of new tools, technologies, and resources in Ashanti Alert plans; and

''(2) informational materials, including brochures, videos, posters, and websites to support and supplement the training and educational programs described in paragraph (1).

''SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to the Attorney General $3,000,000 to carry out the Ashanti Alert communications network as authorized under this title for each of fiscal years 2019 through 2022.''.

SEC. 3. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.

Section 609Y(a) of the Justice Assistance Act of 1984 (34 U.S.C. 50112(a)) is amended by striking ''September 30, 2021'' and inserting ''September 30, 2022''.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5075, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I strongly urge my colleagues to support H.R. 5075, the Ashanti Alert Act of 2018.

This bill directs the Department of Justice to establish a national communications network, the Ashanti Alert Communications Network, to support the regional and local search efforts for missing adults. It fills the gap between the AMBER Alert and the Silver Alert.

Mr. Speaker, I want to thank Congressman SCOTT TAYLOR for championing this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is H.R. 5075, the Ashanti Alert Act of 2018. I rise to support the Senate amendment to H.R. 5075, the Ashanti Alert Act of 2018.

This bill seeks to establish a national communications network to help locate missing adults by providing assistance to State, Tribal, and local search efforts. This bill would initiate, facilitate, and promote Ashanti Alert plans in coordination with States, Indian Tribes, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to adults.

I was pleased when we initially passed this bill last September, and I am even more pleased with the Senate amendment, and so I rise to support this legislation and indicate that as of December 31, 2017, the National Crime Information Center database included records of 55,968 missing adults. In fact, many adults go missing each year that are not found until it is too late.

In particular, the young woman who the bill is named after, Ashanti Billie, was too old for the assistance of an AMBER Alert on her behalf and too young for a Silver Alert. Had these resources been available when Ashanti Billie was abducted, she may be here today.

Mr. Speaker, I enthusiastically support this legislation, and I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I urge adoption of H.R. 5075, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 5075.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CLEAN UP THE CODE ACT OF 2018

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7093) to eliminate unused sections of the United States Code, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7093

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Up the Code Act of 2018''.

SEC. 2. REPEALS.

The following provisions of title 18, United States Code, are repealed:

(1) Section 46 relating to transportation of water hyacinths.

(2) Section 511A relating to unauthorized application of theft prevention decal or device.

(3) Section 707 relating to 4–H club emblem fraudulently used.

(4) Section 708 relating to Swiss Confederation coat of arms.

(5) Section 711 relating to ''Smokey Bear'' character or name.

(6) Section 711a relating to ''Woodsy Owl'' character, name, or slogan.

(7) Section 715 relating to ''The Golden Eagle Insignia''.

(8) Chapter 89—Professions and Occupations.

(9) Section 1921 relating to receiving Federal employees' compensation after marriage.

SEC. 3. CLERICAL AMENDMENTS.

(a) TABLE OF CHAPTERS FOR TITLE 18.—The table of chapters for title 18, United States Code, is amended by striking the item relating to chapter 89.

(b) TABLE OF SECTIONS FOR CHAPTER 3.—The table of sections for chapter 3 of title 18, United States Code, is amended by striking the item relating to section 46.

(c) TABLE OF SECTIONS FOR CHAPTER 25.—The table of sections for chapter 25 of title 18, United States Code, is amended by striking the item relating to section 511A.

(d) TABLE OF SECTIONS FOR CHAPTER 33.—The table of sections for chapter 33 of title 18, United States Code, is amended—

(1) by striking the item relating to section 707;

(2) by striking the item relating to section 708;

(3) by striking the item relating to section 711;

(4) by striking the item relating to section 711a; and

(5) by striking the item relating to section 715.

(e) TABLE OF SECTIONS FOR CHAPTER 39.—The table of sections for chapter 93 of title 18, United States Code, is amended by striking the item relating to section 1921.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials to H.R. 7093, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this bill is in part a response to the work of the current committee's Over-Criminalization Task Force. The Judiciary Committee created this task force to look at the growing problems of over-criminalization and over-Federalization of criminal law.

The bill before us adheres to these principles by eliminating several sections of the Federal Criminal Code that have either never been charged, criminalized conduct that should not land someone in Federal prison, such as unauthorized use of the Woodsy Owl image or slogan, or both.

This is a sensible, good-government measure, and I urge my colleagues to support it.

Mr. Speaker, I would also like to thank the gentleman from Ohio (Mr. CHABOT) for his work on this bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I join with the manager of the bill to support H.R. 7093, the Clean Up the Code Act, as a measure that takes a small step toward addressing the problem of over-criminalization as a result of the hard work of the Over-Criminalization Task Force, of which we look forward to continuing in the next Congress.

This bill repeals several criminal penalties for violations that do not involve serious wrongdoing, or at least not serious enough to warrant criminal prosecution and the consequences of a criminal record. For example, this bill repeals laws that make the unauthorized for-profit use of the Smoky the Bear and Woodsy Owl characters punishable by fine and/or imprisonment for up to 6 months.

The conduct that these laws are designed to deter or punish certainly do not merit criminal sanctions.

We are grateful for the Clean Up the Code Act, and I ask my colleagues to support H.R. 7093.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I urge adoption of H.R. 7093, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I would like to recognize and thank for their efforts Representative STEVE CHABOT and Representative HANK JOHNSON for their work on this bill.

I ask my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 7093.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

JUSTICE AGAINST CORRUPTION ON K STREET ACT OF 2018

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2896) to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2896

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice Against Corruption on K Street Act of 2018'' or the ''JACK Act''.

SEC. 2. DISCLOSURE OF CORRUPT MALPRACTICE BY LOBBYISTS.

(a) REGISTRATION.—Section 4(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(b)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (6) the following:

''(7) for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.''.

(b) QUARTERLY REPORTS.—Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 2896, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support S. 2896, the JACK Act. This bill applies to the penalties for failure to disclose under the Lobbying Disclosure Act, failure to disclose State or Federal court convictions for the offences of bribery, extortion, embezzlement, fraud, and tax evasion.

Mr. Speaker, I would urge all my colleagues to support this bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise as well in support of S. 2896, the Justice Against Corruption on K Street Act of 2018, also known as the JACK Act.

The JACK Act would require lobbyists to publicly disclose any State or Federal convictions for certain crimes of character, such as bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

As many of you have known, this bill impacts lobbyists and impacts individuals, such as Mr. Abramoff, who pleaded guilty to a number of counts in 2006.

This is an important bill that was sponsored by Mr. COHEN, and I ask my colleagues to support this legislation, again, S. 2896, the Justice Against Corruption on K Street Act of 2018, the JACK Act.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I urge adoption of S. 2896, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I urge adoption of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, S. 2896.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

VICTIMS OF CHILD ABUSE REAUTHORIZATION ACT of 2018

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2961) to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2961

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Victims of Child Abuse Act Reauthorization Act of 2018''.

SEC. 2. REAUTHORIZATION.

(a) FINDINGS.—Section 211 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20301) is amended—

(1) in paragraph (1), by striking ''2,000,000'' and inserting ''3,300,000'';

(2) in paragraph (6)—

(A) by inserting ''improve positive outcomes for the child,'' before ''and increase''; and

(B) by striking ''; and'' and inserting a semicolon;

(3) in paragraph (7), by striking ''could be duplicated in many jurisdictions throughout the country.'' and inserting ''have expanded dramatically throughout the United States; and''; and

(4) by adding at the end the following:

''(8) State chapters of children's advocacy center networks are needed to—

''(A) assist local communities in coordinating their multidisciplinary child abuse investigation, prosecution, and intervention services; and

''(B) provide oversight of, and training and technical assistance in, the effective delivery of evidence-informed programming.''.

(b) DEFINITIONS.—Section 212 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20302) is amended—

(1) by striking paragraphs (3) and (6);

(2) by redesignating paragraphs (4), (5), (7), (8), and (9) as paragraphs (3), (4), (5), (6), and (7), respectively;

(3) in paragraph (6), as so redesignated, by striking ''and'' at the end;

(4) in paragraph (7), as so redesignated, by striking the period at the end and inserting ''; and''; and

(5) by adding at the end the following:

''(8) the term 'State chapter' means a membership organization that provides technical assistance, training, coordination, grant administration, oversight, and support to local children's advocacy centers, multidisciplinary teams, and communities working to implement a multidisciplinary response to child abuse in the provision of evidence-informed initiatives, including mental health counseling, forensic interviewing, multidisciplinary team coordination, and victim advocacy.''.

(c) REGIONAL CHILDREN'S ADVOCACY CENTERS.—Section 213 of the Victims of Child

Abuse Act of 1990 (34 U.S.C. 20303) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''with the Director and''

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(D) in paragraph (2), as so redesignated, by striking ''and'' at the end;

(E) in paragraph (3), as so redesignated—

(i) by inserting after ''mental health care professionals'' the following: '', law enforcement officers, child protective service workers, forensic interviewers, prosecutors, and victim advocates,'';

(ii) by striking ''medical'' each place that term appears; and

(iii) by striking the period at the end and inserting ''; and''; and

(F) by adding at the end the following:

''(4) collaborate with State chapters to provide training, technical assistance, coordination, and oversight to—

''(A) local children's advocacy centers; and

''(B) communities that want to develop local children's advocacy centers.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking '', in coordination with the Director,'';

(ii) in subparagraph (A), by inserting ''and'' at the end;

(iii) in subparagraph (B), by striking ''the prevention, judicial handling, and treatment of child abuse and neglect; and'' and inserting ''multidisciplinary team investigation, trauma-informed interventions, and evidence-informed treatment,''; and

(iv) by striking subparagraph (C); and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''communities'' and inserting ''communities, local children's advocacy centers, multidisciplinary teams, and State chapters'';

(II) in clause (i), by inserting ''and expanding'' after ''developing'';

(III) by redesignating clauses (ii) through (x) as clauses (iii) through (xi), respectively;

(IV) by inserting after clause (i) the following:

''(ii) in promoting the effective delivery of the evidence-informed Children's Advocacy Model and the multidisciplinary response to child abuse, including best practices in—

''(I) organizational support and development;

''(II) programmatic evaluation; and

''(III) financial oversight of Federal funding;'';

(V) in clause (iii), as so redesignated, by striking ''a freestanding facility where interviews of and services for abused children can be provided'' and inserting ''child-friendly facilities for the investigation of, assessment of, and intervention in abuse''; and

(VI) in clause (iv), as so redesignated, by striking ''multiple'' and inserting ''duplicative''; and

(ii) in subparagraph (B), by inserting ''and interested communities'' after ''advocacy centers'';

(3) in subsection (c)—

(A) in paragraph (2)(C), by striking ''remedial counseling to'' and inserting ''evidence-informed services for'';

(B) in paragraph (3)(A)(ii), by striking ''multidisciplinary child abuse program'' and inserting ''children's advocacy center''; and

(C) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking '', in coordination with the Director,'';

(ii) by striking clause (iii); and

(iii) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively;

(4) in subsection (d)—

(A) in paragraph (1), by striking '', in coordination with the Director,'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''and the Director''; and

(C) in paragraph (3), by striking ''DISCONTINUATION OF FUNDING.—'' and all that follows through ''Upon discontinuation'' and inserting the following: ''DISCONTINUATION OF FUNDING.—Upon discontinuation''; and

(5) by striking subsections (e) and (f).

(d) LOCAL CHILDREN'S ADVOCACY CENTERS.—Section 214 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20304) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Administrator, in coordination with the Director of the Office of Victims of Crime, shall make grants to—

''(1) develop and enhance multidisciplinary child abuse investigations, intervention, and prosecution; and

''(2) promote the effective delivery of the evidence-informed Children's Advocacy Model and the multidisciplinary response to child abuse, including best practices in programmatic evaluation and financial oversight of Federal funding.'';

(2) in subsection (b)—

(A) in the subsection heading, by inserting ''HUMAN TRAFFICKING AND'' before ''CHILD PORNOGRAPHY'';

(B) by striking ''with the Director and''; and

(C) by inserting ''human trafficking and'' before ''child pornography'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Director'' and inserting ''Administrator''; and

(ii) by striking ''this section'' and inserting ''subsections (a) and (b)''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''social service'' and inserting ''child protective service'';

(ii) in subparagraph (B), by striking ''the 'counseling center'' and inserting ''a 'children's advocacy center' '';

(iii) in subparagraph (C), by striking ''sexual and serious physical abuse and neglect cases to the counseling center'' and inserting ''child abuse cases that meet designated referral criteria to the children's advocacy center'';

(iv) in subparagraph (D)—

(I) by striking ''investigative'' and inserting ''forensic''; and

(II) by striking ''social service'' and inserting ''child protective service'';

(v) by striking subparagraph (E);

(vi) by redesignating subparagraphs (F) through (J) as subparagraphs (E) through (I), respectively;

(vii) in subparagraph (E), as so redesignated, by striking ''counseling center'' and inserting ''children's advocacy center or an agency with which there is a linkage agreement regarding the delivery of multidisciplinary child abuse investigation, prosecution, and intervention services'';

(viii) in subparagraph (F), as so redesignated, by striking ''minimize the number of interviews that a child victim must attend'' and inserting ''eliminate duplicative forensic interviews with a child victim'';

(ix) in subparagraph (G), as so redesignated, by striking ''multidisciplinary program'' and inserting ''children's advocacy center'';

(x) in subparagraph (H), as so redesignated, by inserting ''intervention and'' before ''judicial proceedings''; and

(xi) in subparagraph (I), as so redesignated, by striking ''Director'' and inserting ''Administrator'';

(4) in subsection (d)—

(A) by striking ''the Director'' and inserting ''the Administrator''; and

(B) by striking ''both large and small States'' and inserting ''all States that are eligible for such grants, including large and small States,''; and

(5) by adding at the end the following:

''(f) GRANTS TO STATE CHAPTERS FOR ASSISTANCE TO LOCAL CHILDREN'S ADVOCACY CENTERS.—In awarding grants under this section, the Administrator shall ensure that a portion of the grants is distributed to State chapters to enable State chapters to provide technical assistance, training, coordination, and oversight to other recipients of grants under this section in providing evidence-informed initiatives, including mental health counseling, forensic interviewing, multidisciplinary team coordination, and victim advocacy.''.

(e) GRANTS FOR SPECIALIZED TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.—Section 214A of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20305) is amended—

(1) in subsection (a), by striking ''to attorneys'' and all that follows and inserting the following: ''to—

''(1) attorneys and other allied professionals instrumental to the criminal prosecution of child abuse cases in State or Federal courts, for the purpose of improving the quality of criminal prosecution of such cases; and

''(2) child abuse professionals instrumental to the protection of children, intervention in child abuse cases, and treatment of victims of child abuse, for the purpose of—

''(A) improving the quality of such protection, intervention, and treatment; and

''(B) promoting the effective delivery of the evidence-informed Children's Advocacy Model and the multidisciplinary response to child abuse, including best practices in programmatic evaluation and financial oversight of Federal funding.'';

(2) by striking subsection (b) and inserting the following:

''(b) GRANTEE ORGANIZATIONS.—

''(1) PROSECUTORS.—An organization to which a grant is made for specific training and technical assistance for prosecutors under subsection (a)(1) shall be one that has—

''(A) a broad representation of attorneys who prosecute criminal cases in State courts; and

''(B) demonstrated experience in providing training and technical assistance for prosecutors.

''(2) CHILD ABUSE PROFESSIONALS.—An organization to which a grant is made for specific training and technical assistance for child abuse professionals under subsection (a)(2) shall be one that has—

''(A) a diverse portfolio of training and technical resources for the diverse professionals responding to child abuse, including a digital library to promote evidence-informed practice; and

''(B) demonstrated experience in providing training and technical assistance for child abuse professionals, especially law enforcement officers, child protective service workers, prosecutors, forensic interviewers, medical professionals, victim advocates, and mental health professionals.''; and

(3) in subsection (c)(2), by inserting after ''shall require'' the following: '', in the case of a grant made under subsection (a)(1),''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 214B of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20306) is amended—

(1) in subsection (a), by striking ''sections 213 and 214'' and all that follows and inserting the following: ''sections 213 and 214, $16,000,000 for each of fiscal years 2019 through 2023.''; and

(2) in subsection (b), by striking ''section 214A'' and all that follows and inserting the following: ''section 214A, $5,000,000 for each of fiscal years 2019 through 2023.''.

(g) ACCOUNTABILITY.—Section 214C of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20307) is amended—

(1) by striking ''All grants awarded'' and inserting the following:

''(a) IN GENERAL.—All grants awarded''; and

(2) by adding at the end the following:

''(b) REPORTING.—Not later than March 1 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

''(1) summarizes the efforts of the Administrator to monitor and evaluate the regional children's advocacy program activities under section 213(d);

''(2) describes—

''(A) the method by which amounts are allocated to grantees and subgrantees under this subtitle, including to local children's advocacy centers, State chapters, and regional children's advocacy program centers; and

''(B) steps the Attorney General has taken to minimize duplication and overlap in the awarding of amounts under this subtitle; and

''(3) analyzes the extent to which both rural and urban populations are served under the regional children's advocacy program.''.

(h) TECHNICAL AND CONFORMING AMENDMENTS RELATING TO TITLE 34, UNITED STATES CODE.—The Victims of Child Abuse Act of 1990 (34 U.S.C. 20301 et seq.) is amended—

(1) in section 212(1) (34 U.S.C. 20302), by striking ''(42 U.S.C. 5611(b))'' and inserting ''(34 U.S.C. 11111(b))'';

(2) in section 214(c)(1) (34 U.S.C. 20304(c)(1)), by striking ''(42 U.S.C. 5665 et seq.)'' and inserting ''(34 U.S.C. 11183, 11186)'';

(3) in section 214A(c)(1) (34 U.S.C. 20305(c)(1)), by striking ''(42 U.S.C. 5665 et seq.)'' and inserting ''(34 U.S.C. 11183, 11186)'';

(4) in section 217(c)(1) (34 U.S.C. 20323(c)(1)), by striking ''(42 U.S.C. 5665 et seq.)'' and inserting ''(34 U.S.C. 11183, 11186)''; and

(5) in section 223(c) (34 U.S.C. 20333(c)), by striking ''(42 U.S.C. 5665 et seq.)'' and inserting ''(34 U.S.C. 11183, 11186)''.

SEC. 3. IMMUNITY PROTECTIONS FOR REPORTERS OF CHILD ABUSE.

(a) STATE PLANS.—Section 106(b)(2)(B)(vii) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(vii)) is amended to read as follows:

''(vii) provisions for immunity from civil or criminal liability under State and local laws and regulations for individuals making good faith reports of suspected or known instances of child abuse or neglect, or who otherwise provide information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect;''.

(b) FEDERAL IMMUNITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any individual making a good faith report to appropriate authorities of a suspected or known instance of child abuse or neglect, or who otherwise, in good faith, provides information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect shall not be subject to civil liability or criminal prosecution, under any Federal law, rising from making such report or providing such information or assistance.

(2) PRESUMPTION OF GOOD FAITH.—In a Federal civil action or criminal prosecution brought against a person based on the person's reporting a suspected or known instance of child abuse or neglect, or providing information or assistance with respect to such a report, as described in paragraph (1), there shall be a presumption that the person acted in good faith.

(3) COSTS.—If the defendant prevails in a Federal civil action described in paragraph (2), the court may award costs and reasonable attorney's fees incurred by the defendant.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 2961, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation takes a number of positive steps to protect children; for example, it reauthorizes the appropriation of Federal grant funds until 2023 for the Department of Justice programs to prevent child abuse and assist victims of such crimes.

In doing so, the bill also provides important liability protection for mandatory reporters such as, and including, pediatricians, educators, and law enforcement. This will protect these individuals from criminal and civil liability from not just reporting suspected child abuse, which they are mandated to do, but also for assisting with investigations of suspected child abuse.

Mr. Speaker, as a father, I can think of no greater responsibility than protecting the most vulnerable among us, our children.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of S. 2961, the Victims of Child Abuse Act Reauthorization. This bill updates and reauthorizes this important law so that we can better prevent and address child abuse in our communities.

This is very important legislation, just for the fact of the number of children that are abused. In my own community in Texas and in the city of Houston, we have had some atrocious cases; one just reported in our newspaper of a 5-year-old under a stairwell, locked, lying flat on his back, weighing 70 pounds, with no food and water, abused by two parents, the step-child of one of the parents. What a horrific and horrible life.

The Administration for Children and Families reported that over 4.1 million referrals for 7.4 million children were made to Child Protective Services in the United States in 2016.

Our Federal Government must provide resources to ensure that these cases are carefully, compassionately, and comprehensively addressed at the local level.

This bill recognizes the sensitivity of these issues and helps integrate social services, mental and physical healthcare, and law enforcement.

With the resources and legislative updates in this bill, child advocacy centers can extend their outreach to underserved communities and expand programs, such as offering longer term counseling.

Mr. Speaker, I want to thank Representatives POE and COSTA here in the House and Senators BLUNT and COONS in the Senate for leadership on this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again I just want to emphasize it couldn't be a better day for us, especially with the First Step Act and the things we are moving forward on criminal justice. I join the gentlewoman from Texas in saying this is a good bill, and I urge adoption.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I include in the RECORD several letters dealing with S. 756: a letter from the ACLU; a letter from the Judicial Conference of the United States; and a letter from the Center for American Progress.

THE LEADERSHIP CONFERENCE, ACLU,
Washington, DC, December 19, 2018.

Re THE ACLU AND THE LEADERSHIP CONFERENCE URGE YOU TO SUPPORT 5.756, THE FIRST STEP Act.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: On behalf of the American Civil Liberties Union (ACLU) and The Leadership Conference on Civil and Human Rights, we write to urge you to vote YES on S. 756, the FIRST STEP Act. This legislation is a next step towards desperately needed federal criminal justice reform, but for all its benefits, much more needs to be done. The inclusion of concrete sentencing reforms in the new and improved Senate version of the FIRST STEP Act is a modest improvement, but many people will be left in prison to serve long draconian sentences because some provisions of the legislation are not retroactive. The revised FIRST STEP Act, however, is not without problems. The bill continues to exclude individuals from benefiting from some provisions based solely on their

prior offenses, namely citizenship and immigration status, as well as certain prior drug convictions and their ''risk score'' as determined by a discriminatory risk assessment system. While these concerns remain a priority for our organizations and we will advocate for improvements in the future, ultimately the improvements to the federal sentencing scheme will have a net positive impact on the lives of some of the people harmed by our broken justice system and we urge you to vote YES on S. 756. The ACLU and The Leadership Conference will include your votes on our updated voting scorecards for the 115th Congress.

Over the past four to five decades, U.S. criminal justice policies have driven an increase in incarceration rates that is unprecedented in this country and unmatched elsewhere in the world. Our country has over 20 percent of the world's incarcerated individuals, despite having less than five percent of the world's population. In 2015, the U.S. Justice Department's Bureau of Justice Statistics estimated that 6.7 million persons were involved in the adult correctional systems in this country and almost 2.2 millions were in prisons or jail. More than 180,000 of these people are in federal prison, almost half of whom are there for drug offenses.

The most recent data indicate that the United States spends almost $81 billion per year on corrections systems—prisons, jails, parole, and probation—and this figure does not include the costs of policing and court systems. The cost of the federal Bureau of Prisons (BOP) accounts for nearly a third of the Department of Justice's discretionary budget. Federal incarceration has become one of our nation's biggest expenditures, swallowing the budget of federal law enforcement. It costs more than $36,000 a year to house just one federal inmate, almost four times the average yearly cost of tuition at a public university.

While the dollar amounts are astounding, the toll that our U.S. criminal justice policies have taken on black and brown communities across the nation goes far beyond the enormous amount of money that is spent. This country's extraordinary incarceration rates impose much greater costs than simply the fiscal expenditures necessary to incarcerate over 20 percent of the world's prisoners. The true costs of this country's addiction to incarceration must be measured in human lives and particularly the generations of young black and Latino men who serve long prison sentences and are lost to their families and communities. The Senate version of the FIRST STEP Act makes some modest improvements to the current federal system.

I. Sentencing Reform Changes to House-passed FIRST STEP Act—Sentencing reform is the key to slowing down the flow of people going into our prisons. This makes sentencing reform pivotal to addressing mass incarceration, prison overcrowding, and the exorbitant costs of incarceration. As a result of our coalition's advocacy, the new FIRST STEP Act added some important sentencing reform provisions from SRCA, which will aid us in tackling these issues on the federal level. These important changes in federal law will result in fewer people being subjected to harsh mandatory minimums.

Expands the Existing Safety Valve. The revised bill expands eligibility for the existing safety valve under 18 U.S.C. 3553(f) from one to four criminal history points if a person does not have prior 2-point convictions for crimes of violence or drug trafficking offenses and prior 3-point convictions. Under the expanded safety valve, judges will have discretion to make a person eligible for the safety valve in cases where the seriousness of his or her criminal history is overrepresented, or it is unlikely he or she would commit other crimes. This crucial expansion of the safety valve will reduce sentences for an estimated 2,100 people per year.

Retroactive Application of Fair Sentencing Act (FSA). The new version of FIRST STEP Act would retroactively apply the statutory changes of the Fair Sentencing Act of 2010 (FSA), which reduced the disparity in sentence lengths between crack and powder cocaine. This change in the law will allow people who were sentenced under the harsh and discriminatory 100 to 1 crack to powder cocaine ratio to be resentenced under the 2010 law. This long overdue improvement would allow over 2,600 people the chance to be resentenced.

Reforms the Unfair Two-Strikes and Three-Strikes Laws. The new version of FIRST STEP would reduce the impact of certain mandatory minimums. It would reduce the mandatory life sentence for a third drug felony to a mandatory minimum sentence of 25 years and reduce the 20-year mandatory minimum for a second drug felony to 15 years.

Eliminates 924(c) ''stacking''. The revised bill would also amend 18 U.S.C. 924(c), which currently allows ''stacking,'' or consecutive sentences for gun charges stemming from a single incident committed during a drug crime or a crime of violence. The legislation would require a prior gun conviction to be final before a person could be subject to an enhanced sentence for possession of a firearm. This provision in federal law has resulted in very long and unjust sentences.

II. Prison Reform Changes to House-passed FIRST STEP Act, H.R. 3356—The revised bill also made some strides in improving some of the problematic prison reform provisions. The new bill strengthened oversight over the new risk assessment system, limited the discretion of the attorney general, and increased funding for prison programming, among other things. The bill now does the following:

Establishes an Independent Review Committee. The revised bill establishes an Independent Review Committee (IRC) of outside experts to assist the Attorney General in the development of the risk and needs assessment system. The National Institute of Justice would select a nonpartisan, nonprofit organization with expertise in risk and needs assessments to host the IRC. This added guardrail will help to ensure the risk and needs assessment system is evidence-based and potentially help to mitigate any harms.

Permits Early Community Release and Loosens Restrictions on Home Confinement. The House-passed FIRST STEP Act limited the use of earned credits to time in prerelease custody (halfway house or home confinement). The revised bill would expand the use of earned credits to supervised release in the community. The bill also would permit individuals in home confinement to participate in family-related activities that facilitate the prisoner's successful reentry.

Increased Funding for Prison Reforms. The revised bill would authorize $75 million annually, a 50 percent increase over the House-passed bill's $50 million annual authorization.

Limits Discretion to Deny Early Release. The revised bill strikes language giving the BOP Director and/or the prison warden broad discretion to deny release to individuals who meet all eligibility criteria.

Mandates BOP Capacity. The revised bill mandates that BOP ensure there is sufficient prerelease custody capacity to accommodate all eligible prisoners. This helps to address concerns that individuals would be unable to use their earned credits because of waiting lists for prerelease custody.

Effectively Ends Federal Juvenile Solitary Confinement. The revised bill significantly restricts juvenile solitary confinement, which can cause substantial psychological damage.

Reauthorizes Second Chance Act. The revised bill reauthorizes the Second Chance Act, which provides federal funding for drug treatment, vocational training, and other reentry and recidivism programming.

While these revisions to the bill were critical to garnering our support, we must acknowledge that some of the more concerning aspects of the House-passed version of the FIRST STEP Act remain.

III. Outstanding Concerns Regarding the FIRST STEP Act—The bill continues to exclude too many people from earning time credits, including those convicted of immigration-related offenses. It does not retroactively apply its sentencing reform provisions to people convicted of anything other than crack convictions, continues to allow for-profit companies to benefit off of incarceration, fails to address parole for juveniles serving life sentences in federal prison, and expands electronic monitoring.

Fails to Include Retroactivity for Enhanced Mandatory Minimum Sentences for Prior Drug Offenses & 924(c) ''stacking.'' The bill does not include retroactivity for its sentencing reforms besides the long-awaited retroactivity for the Fair Sentencing Act of 2010. This minimizes the overall impact substantially. Retroactivity is a vital part of any meaningful sentencing reform. Not only does it ensure that the changes we make to our criminal justice system benefit the people most impacted by it, but it's also one of the essential policy changes to reduce mass incarceration. The federal prison population has fallen by over 38,000 since 2013 thanks in large part to retroactive application of sentencing guidelines approved by the U.S. Sentencing Commission. More than 3,000 people will be left in prison without retroactive application of the ''three strikes'' law and the change to the 924(c) provisions in the FIRST STEP Act.

Excludes Too Many Federal Prisoners from New Earned Time Credits. The bill continues to exclude many federal prisoners from earning time credits and excludes many federal prisoners from being able to ''cash in'' the credits they earn. The long list of exclusions in the bill sweep in, for example, those convicted of certain immigration offenses and drug offenses. Because immigration and drug offenses account for 53.3 percent of the total federal prison population, many people could be excluded from utilizing the time credits they earned after completing programming. The continued exclusion of immigrants from the many benefits of the bill simply based on immigration status is deeply troubling. The Senate version of FIRST STEP maintains a categorical exclusion of people convicted of certain immigration offenses from earning time credits under the bill. The new version of the bill also bars individuals from using the time credits they have earned if they have a final order of removal. More than 12,000 people are currently in federal prison for immigration offenses and are disproportionately people of color. Thus, a very large number of people in federal prison would not reap the benefits proposed in this bill and a disproportionate number of those excluded would be people of color. Denying early-release credits to certain people also reduces their incentive to complete the rehabilitative programs and contradicts the goal of increasing public safety. Any reforms enacted by Congress should impact a significant number of people in federal prison and reduce racial disparities or they will have little effect on the fiscal and human costs of incarceration.

Allows Private Prison Companies to Profit. The bill also maintains concerning provisions that could privatize government functions and allow the Attorney General excessive discretion. FIRST STEP provides that in order to expand programming, BOP shall enter into partnerships with private organizations and companies under policies developed by the Attorney General, ''subject to appropriations.'' This could result in the further privatization of what should be public functions and would allow private entities to unduly profit from incarceration.

Relies on Discriminatory Risk Assessment System. The bill continues to give the Bureau of Prisons and the Attorney General too much discretion in the design, implementation, and review of the tool, including the ability for the BOP to use an existing tool. It also continues to misuse terminology (i.e. recidivism risk vs. risk categories), inappropriately ties risk categories to earned time credits, and fails to properly safeguard against unwarranted racial disparities.

Fails to Include Parole for Juveniles, Sealing and Expungement. Under SRCA, judges would have discretion to reduce juvenile life without parole sentences after 20 years. It would also permit some juveniles to seal or expunge non-violent convictions from their record. The FIRST STEP Act does not address these important bipartisan provisions.

IV. Conclusion

Bringing fairness and dignity to our justice system is one of the most important civil and human rights issues of our time. The revised version of the FIRST STEP Act is a modest, but important move towards achieving some meaningful reform to the criminal legal system. While the bill continues to have its problems, and we will fight to address those in the future, it does include concrete sentencing reforms that would impact people's lives. For these reasons, we urge you to vote YES on S. 756.

Ultimately, the First Step Act is not the end—it is just the next in a series of efforts over the past 10 years to achieve important federal criminal justice reform. Congress must take many more steps to undo the harms of the tough on crime policies of the 80's and 90's—to create a system that is just and equitable, significantly reduces the number of people unnecessarily entering the system, eliminates racial disparities, and creates opportunities for second chances.

If you have any additional questions, please feel free to contact Jesselyn McCurdy, Deputy Director, ACLU Washington Legislative Office, at jmccurd@aclu.org or (202) 675–2307 or Sakira Cook, Director, Justice Program, The Leadership Conference, at cook@civilrights.org or (202) 263–2894.

Sincerely,

FAIZ SHAKIR,
National Political Director, ACLU, National Political Advocacy Dept.
JESSELYN MCCURDY,
Deputy Director, ACLU, Washington Legislative Office.
VANITA GUPTA,
President & CEO, The Leadership Conference on Civil and Human Rights.
SAKIRA COOK, DIRECTOR,
Justice Program, The Leadership Conference on Civil and Human Rights.

JUDICIAL CONFERENCE OF
THE UNITED STATES,
Washington, DC, November 30, 2018.

Hon. CHARLES E. GRASSLEY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I write on behalf of the Judicial Conference of the United States, the policy-making body for the federal Judiciary, regarding S. 3649, the ''First Step Act,'' which was introduced on November 15, 2018. The Judiciary strongly supports many of the reforms proposed by S. 3649. We note that several provisions, however, will impose new workload requirements on the federal Judiciary, particularly on judges and our probation system, which will necessitate additional resources.

TITLE I: RECIDIVISM REDUCTION

We greatly appreciate that, unlike several of its legislative predecessors, S. 3649 would not require Article III judges to exercise powers that traditionally have been exercised by officials in the executive branch in deciding whether an inmate may be allowed to serve a portion of his or her prison sentence in the community. Such decisions are in the nature of parole and therefore we agree that they are more appropriately made by the executive branch, which has direct contact with the inmates and the most accurate and up-to-date information about their conduct and condition.

We remain concerned, however, about the resources that the federal probation system would be required to expend to ensure the effective implementation of S. 3649. Specifically, one of this bill's predecessors—H.R. 3356, the ''Prison Reform and Redemption Act''—required the Director of the Bureau of Prisons (''BOP'') to ''provide for the transfer of such funds as may be necessary'' to the federal probation system to ''supervise prisoners placed in home confinement or community supervision.''

Unfortunately, this language is omitted from S. 3649 in favor of a more general statement that agreements between BOP and the federal probation system should ''take into account'' the resource requirements of the federal probation system ''to the greatest extent practicable'' when moving prisoners to prerelease custody or supervised release.

Our position has been that reimbursement authority is preferable to transfer authority, and we are concerned that the explicit deletion of the transfer provision found in H.R. 3356 could be read as communicating a lack of support for the underlying concept that the probation and pretrial services system must be provided with the resources necessary to execute its new responsibilities. Further, Sections 101 and 104 of S. 3649 indicate that recidivism reduction activities at the BOP (potentially including the costs of funding agreements with the probation system under Section 102) should be covered by the ''savings'' realized as a result of the implementation of this title. This may be an insufficient or unreliable source of funding because much of the ''savings'' will be in the form of future cost avoidances rather than current excess appropriations that could be reinvested. Without the provision of such resources in future appropriations acts and via other funding mechanisms, the Judiciary will be unable to carry out the provisions of the bill as intended without diverting resources from other critical activities that are needed to ensure public safety and the efficient administration of justice.

In addition to our concerns about resources that will be needed, we also ask that you consider amending S. 3649 to include the Judicial Conference's legislative proposal to allow federal probation officers to conduct their official duties more safely—which include conducting searches and seizing contraband—by authorizing probation officers to arrest anyone who assaults, impedes, or interferes with them while carrying out official duties. This legislation already has passed the House of Representatives this Congress, and has been referred to the Senate Judiciary Committee.

TITLE IV: SENTENCING REFORM

For over sixty years, the Judicial Conference has consistently and vigorously opposed mandatory minimum sentencing provisions and has supported measures for their repeal or to ameliorate their effects. Mandatory minimums do not enhance the administration of justice, but have proven to undermine it by wasting valuable taxpayer dollars, creating tremendous injustice in sentencing, undermining guideline sentencing, and ultimately fostering a lack of confidence in the criminal justice system.

S. 3649 would reduce mandatory minimum sentences for certain offenses, which the Judicial Conference supports. Moreover, Section 402 would expand the existing safety valve, which is consistent with the Conference's support for ''legislation . . . that is designed to restore judges' sentencing discretion and avoid the costs associated with mandatory minimum sentences.'' The Conference continues to pursue its overriding goal of persuading Congress to reduce or repeal mandatory minimum sentences.

The Judicial Conference supports the amendment to 18 U.S.C. 924(c)(1)(C), contained in Section 403 of S. 3649, that would clarify that the additional consecutive penalties apply only to true repeat offenders, i.e., those with one or more convictions that have become final prior to the commission of such offense. Section 924(c)(1)(C) compounds the problems created by mandatory minimums, however, by treating multiple Section 924(c) counts in one indictment as triggers of the statute's second-or-subsequent-conviction mandatory minimums.

Section 404 of S. 3649 would retroactively apply the ''Fair Sentencing Act of 2010,'' which reduced the disparity between sentences for crack and powder cocaine offenses, to inmates who had been sentenced prior to its August 3, 2010, enactment date. This proposal is consistent with the Judicial Conference's strategy to restore fairness to the sentences for defendants convicted of crack cocaine offenses. Noting concern that the disparity between the sentences for powder and crack cocaine offenses could have a corrosive effect on public confidence in the courts, the Conference agreed to oppose that disparity and supported its reduction.

TITLE V: MISCELLANEOUS CRIMINAL JUSTICE

We appreciate that Section 509 of S. 3649 would help to ensure the supervision of released sexually dangerous persons. In the interest of ensuring public safety, the Judicial Conference supports giving probation officers clear statutory authority to supervise these offenders, and we are pleased to see it included in this legislation.

We are concerned with the potential impact of Section 503(b), which would amend 18 U.S.C. 3582(c)(1)(A) to allow a defendant to bring a motion on his or her own behalf for modification of an imposed term of imprisonment, commonly known as compassionate release. This amendment could result in premature motions to federal courts, before administrative appeals have been fully exhausted, thereby forcing federal judges to decide these motions on an incomplete or undeveloped record. Depending on how BOP implements this provision, additional judicial resources could be required to handle petitions for compassionate release filed by prisoners when a warden fails to act on a prisoner's request for such relief. It is also unclear whether the defendant would be entitled to counsel for this process, including

court-appointed counsel. We may be in touch with further observations or concerns after the Judicial Conference has studied this issue in detail.

Relatedly, the Judicial Conference supports expanding judges' authority to terminate supervised release for compassionately released inmates. Ongoing supervision of certain offenders, such as those in hospice care, may be wasteful of public resources.

RELEVANT POSITIONS OF THE JUDICIAL CONFERENCE

The Judicial Conference believes that the Sentencing Commission would benefit by having a federal defender representative as a non-voting member. Prosecutors currently are ably represented in the Commission's proceedings by the ex officio non-voting member assigned to the Attorney General or his designee.

Notably, although S. 3649 would implement sweeping sentencing and prison reforms, it does not address the pretrial system. Section 4285 of title 18, U.S. Code, currently authorizes courts to order the United States Marshals Service (''USMS'') to provide a released defendant with non-custodial transportation and subsistence to the court where that individual's appearance is required, when the interests of justice would be served and the client is financially unable to pay transportation costs. The Judicial Conference supports giving courts the discretion, in the interests of justice, to order the USMS to furnish, when financially necessary, transportation and subsistence (lodging and food) for defendants returning home from court proceedings, and subsistence while attending such proceedings, including for successive court appearances. This provision would not be applicable for a defendant found by the court to be financially able to cover these costs. Draft statutory language for each of the aforementioned proposed reforms was submitted to your office earlier this Congress and is attached.

Section 3142(e) of title 18, U.S. Code, creates a presumption that certain defendants should be detained pending trial because a court cannot craft conditions of supervision that would reasonably assure both the safety of the community and the defendant's appearance at court proceedings. The statute identifies several categories of defendants to whom this presumption applies, including those charged with specific drug trafficking offenses, and places the burden on a defendant to rebut the presumption for detention. In keeping with its support of evidence-based supervision practices, the Administrative Office of the U.S. Courts conducted a study analyzing data collected from a ten-year period. The study reveals that a sizeable segment of low-risk defendants fall into the category of drug traffickers subject to the presumption of detention. The study concluded that these defendants are detained at a high rate, even when their criminal histories and other applicable risk factors indicate that they pose a low risk of either reoffending or absconding while on pretrial release, and arguably should be released for pretrial supervision.

Legal, policy, and budgetary factors—including the presumption of innocence and the relative costs of incarceration versus pretrial supervision—support reducing unnecessary pretrial detention. Therefore, at its September 2017 meeting, upon recommendation of the Criminal Law Committee, the Judicial Conference endorsed limiting the application of the presumption of detention to defendants whose criminal history suggests that they pose a higher risk of failing to appear or being a danger to the community if released pending trial. This would enable judges to make pretrial release decisions for low-risk defendants on a case-by-case basis. No defendant would be automatically released into the community if this proposal were enacted. We would be glad to provide draft statutory language, as well as an academic article analyzing the aforementioned study, for your consideration.

CONCLUSION

Thank you for considering the federal Judiciary's views on this important legislation. If we may be of further assistance to you in this or any other matter, please do not hesitate to contact us through the Office of Legislative Affairs, Administrative Office of the U. S. Courts.

Sincerely,

James C. Duff,
Secretary.

Enclosure.

NOVEMBER 28, 2018.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. CHARLES E. GRASSLEY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.
Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. DIANNE FEINSTEIN,
Ranking Member, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN GRASSLEY AND RANKING MEMBER FEINSTEIN: We, the International Community Corrections Association (ICCA) and National Criminal Justice Association (NCJA), add our voices to the many urging passage of the First Step Act before Congress adjourns for the year. The First Step Act of 2018 (S. 3649) is bipartisan, common sense legislation based on innovations adopted and tested in the states over many years. The bill would require the federal Bureau of Prisons (BOP) to adopt a risk and needs assessment system to determine the recidivism risk of each prisoner as part of the intake process and to provide evidence-based recidivism reduction programming based on each individual's criminogenic needs. Eligible inmates who successfully complete the recidivism reduction programming and/or other productive activities shall earn time credits allowing them to complete their sentences in a residential reentry center or in home confinement. Further, the bill would require BOP to ensure there is sufficient prerelease custody capacity to accommodate all who are eligible.

The First Step Act would also restore judicial discretion for some non-violent offenses where federal mandatory minimum sentences have been found to be too rigid, reduce the enhanced mandatory minimum sentence for certain firearm offenses, and apply the Fair Sentencing Act of 2010 retroactively.

ICCA members have been at the forefront of the evidence-based practices movement for decades. ICCA members operate residential reentry centers and have extensive experience delivering community-based services to justice-involved individuals. NCJA members are the state criminal justice planning agencies who fund and oversee community-based services and are responsible for planning across the justice system. NCJA members are keenly aware that successful reentry rests on the provision and quality of community-based services. ICCA and NCJA look forward to working closely with BOP on implementation of the bill.

The First Step Act is important legislation and we urge its swift passage.

Sincerely,

ELLEN DONNARUMMA,
President, International Community Corrections Association.
CHRISTIAN KERVICK,
President, National Criminal Justice Association.

[From the Center for American Progress, Dec. 19, 2018]

STATEMENT: THE CENTER FOR AMERICAN PROGRESS APPLAUDS THE SENATE FOR PASSING THE FIRST STEP ACT

(By Julia Cusick)

WASHINGTON, D.C.—Yesterday, the Senate passed the FIRST STEP Act by an 87–12 bipartisan vote. The bill would reform the federal criminal justice system by revising some sentencing laws and letting judges consider sentences below the mandatory minimum for more people. The legislation would also establish a system of programs to provide incarcerated people with skills and tools to succeed when they go back to their communities after serving their sentence. Following the passage of the bill, Ed Chung, vice president for Criminal justice Reform at the Center for American Progress, provided the following statement:

The Center for American Progress applauds the Senate for passing the FIRST STEP Act with overwhelming bipartisan support. The Senate's version of the legislation, while far from perfect, includes crucial sentencing reforms that safely reduce the footprint of the federal criminal justice system from the front end. Additionally, the Senate added important checks on the U.S. Department of Justice as it creates a risk and needs assessment and a system of programs and education in the Bureau of Prisons.

These changes, which were priorities of CAP when we announced our support for the bill, would not have been possible without the leadership of Sens. Dick Durbin (D–IL), Chuck Grassley (R-IA), Cory Booker (D–NJ), and Kamala Harris (D–CA). These champions all resisted earlier calls to accept a more moderated version of the bill that omitted sentencing reforms and made sure the legislation was as progressive as possible in the current political climate. We look forward to the House quickly passing this version of the bill followed by enactment of the legislation in the coming days.

Ms. JACKSON LEE. Mr. Speaker, I ask my colleagues to support S. 2961 to save our children, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, S. 2961.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1215

VETERANS SMALL BUSINESS ENHANCEMENT ACT OF 2018

Mr. MARSHALL. Mr. Speaker, I move to suspend the rules and pass the

bill (S. 2679) to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2679

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Small Business Enhancement Act of 2018''.

SEC. 2. ACCESS TO SURPLUS PROPERTY FOR VETERAN-OWNED SMALL BUSINESSES.

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by adding at the end the following:

''(g) ACCESS TO SURPLUS PROPERTY FOR VETERAN-OWNED SMALL BUSINESSES.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'foreign excess property' has the meaning given the term in section 102 of title 40, United States Code; and

''(B) the term 'state agency' has the meaning given the term, including the roles and responsibilities assigned, in section 549 of title 40, United States Code.

''(2) REQUIREMENT.—The Administrator, in coordination with the Administrator of General Services, shall provide access to and manage the distribution of surplus property, and foreign excess property returned to a State for handling as surplus property, owned by the United States under chapter 7 of title 40, United States Code, to small business concerns owned and controlled by veterans (as verified by the Secretary of Veterans Affairs under section 8127 of title 38, United States Code) pursuant to a memorandum of agreement between the Administrator, the Administrator of General Services, and the head of the applicable state agency for surplus properties and in accordance with section 549 of title 40, United States Code.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. MARSHALL) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MARSHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 2679, the Veterans Small Business Enhancement Act of 2018. This important, bipartisan legislation, introduced by Senator DUCKWORTH and Senator KENNEDY, aims to help veteran entrepreneurs cut costs and enhance their economic opportunity by giving them access to surplus Federal property.

The Federal Surplus Property Program allows certain nongovernment organizations to acquire equipment and property that the Federal Government no longer needs. This legislation adds veteran-owned small businesses to the program's list of eligible recipients, which already includes minority-owned and women-owned small businesses.

The Veterans of Foreign Wars, the National Association of State Agencies for Surplus Property, and the American Legion support this legislation.

Mr. Speaker, I am prepared to close if the gentlewoman from New York is prepared as well after her remarks, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2679, the Veterans Small Business Enhancement Act.

Currently, the Federal agencies make their excess property available to other agencies and eligible organizations that serve the public. Today's bill is a commonsense expansion of the list of eligible entities that receive surplus property.

By adding qualified veteran-owned small businesses to the list, it ensures veteran entrepreneurs have the resources they need to start and grow. With more than 2.5 million veteran-owned small firms, this bill puts them on equal footing with other entities that provide important services to our country.

Mr. Speaker, I urge Members to support this legislation, and I yield back the balance of my time.

Mr. MARSHALL. Mr. Speaker, I urge my colleagues to support this important bipartisan legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MARSHALL) that the House suspend the rules and pass the bill, S. 2679.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

TAXPAYER FIRST ACT OF 2018

Mr. RICE of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7227) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Taxpayer First Act of 2018''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—PUTTING TAXPAYERS FIRST

Subtitle A—Independent Appeals Process

SEC. 1001. ESTABLISHMENT OF INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.

(a) IN GENERAL.—Section 7803 is amended by adding at the end the following new subsection:

''(e) INDEPENDENT OFFICE OF APPEALS.—

''(1) ESTABLISHMENT.—There is established in the Internal Revenue Service an office to be known as the 'Internal Revenue Service Independent Office of Appeals'.

''(2) CHIEF OF APPEALS.—

''(A) IN GENERAL.—The Internal Revenue Service Independent Office of Appeals shall be under the supervision and direction of an official to be known as the 'Chief of Appeals'. The Chief of Appeals shall report directly to the Commissioner of the Internal Revenue Service and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

''(B) APPOINTMENT.—The Chief of Appeals shall be appointed by the Commissioner of the Internal Revenue Service without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

''(C) QUALIFICATIONS.—An individual appointed under subparagraph (B) shall have experience and expertise in—

''(i) administration of, and compliance with, Federal tax laws,

''(ii) a broad range of compliance cases, and

''(iii) management of large service organizations.

''(3) PURPOSES AND DUTIES OF OFFICE.—It shall be the function of the Internal Revenue Service Independent Office of Appeals to resolve Federal tax controversies without litigation on a basis which—

''(A) is fair and impartial to both the Government and the taxpayer,

''(B) promotes a consistent application and interpretation of, and voluntary compliance with, the Federal tax laws, and

''(C) enhances public confidence in the integrity and efficiency of the Internal Revenue Service.

''(4) RIGHT OF APPEAL.—The resolution process described in paragraph (3) shall be generally available to all taxpayers.

''(5) LIMITATION ON DESIGNATION OF CASES AS NOT ELIGIBLE FOR REFERRAL TO INDEPENDENT OFFICE OF APPEALS.—

''(A) IN GENERAL.—If any taxpayer which is in receipt of a notice of deficiency authorized under section 6212 requests referral to the Internal Revenue Service Independent Office of Appeals and such request is denied, the Commissioner of the Internal Revenue Service shall provide such taxpayer a written notice which—

''(i) provides a detailed description of the facts involved, the basis for the decision to deny the request, and a detailed explanation of how the basis of such decision applies to such facts, and

''(ii) describes the procedures prescribed under subparagraph (C) for protesting the decision to deny the request.

''(B) REPORT TO CONGRESS.—The Commissioner of the Internal Revenue Service shall submit a written report to Congress on an annual basis which includes the number of requests described in subparagraph (A) which were denied and the reasons (described by category) that such requests were denied.

''(C) PROCEDURES FOR PROTESTING DENIAL OF REQUEST.—The Commissioner of the Internal Revenue Service shall prescribe procedures for protesting to the Commissioner of the Internal Revenue Service a denial of a request described in subparagraph (A).

''(D) NOT APPLICABLE TO FRIVOLOUS POSITIONS.—This paragraph shall not apply to a request for referral to the Internal Revenue Service Independent Office of Appeals which is denied on the basis that the issue involved is a frivolous position (within the meaning of section 6702(c)).

''(6) STAFF.—

''(A) IN GENERAL.—All personnel in the Internal Revenue Service Independent Office of Appeals shall report to the Chief of Appeals.

''(B) ACCESS TO STAFF OF OFFICE OF THE CHIEF COUNSEL.—The Chief of Appeals shall have authority to obtain legal assistance and advice from the staff of the Office of the Chief Counsel. The Chief Counsel shall ensure that such assistance and advice is provided by staff of the Office of the Chief Counsel who were not involved in the case with respect to which such assistance and advice is sought and who are not involved in preparing such case for litigation.

''(7) ACCESS TO CASE FILES.—

''(A) IN GENERAL.—In any case in which a conference with the Internal Revenue Service Independent Office of Appeals has been scheduled upon request of a specified taxpayer, the Chief of Appeals shall ensure that such taxpayer is provided access to the nonprivileged portions of the case file on record regarding the disputed issues (other than documents provided by the taxpayer to the Internal Revenue Service) not later than 10 days before the date of such conference.

''(B) TAXPAYER ELECTION TO EXPEDITE CONFERENCE.—If the taxpayer so elects, subparagraph (A) shall be applied by substituting 'the date of such conference' for '10 days before the date of such conference'.

''(C) SPECIFIED TAXPAYER.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified taxpayer' means—

''(I) in the case of any taxpayer who is a natural person, a taxpayer whose adjusted gross income does not exceed $400,000 for the taxable year to which the dispute relates, and

''(II) in the case of any other taxpayer, a taxpayer whose gross receipts do not exceed $5,000,000 for the taxable year to which the dispute relates.

''(ii) AGGREGATION RULE.—Rules similar to the rules of section 448(c)(2) shall apply for purposes of clause (i)(II).''.

(b) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''Internal Revenue Service Office of Appeals'' and inserting ''Internal Revenue Service Independent Office of Appeals'':

(A) Section 6015(c)(4)(B)(ii)(I).

(B) Section 6320(b)(1).

(C) Subsections (b)(1) and (d)(3) of section 6330.

(D) Section 6603(d)(3)(B).

(E) Section 6621(c)(2)(A)(i).

(F) Section 7122(e)(2).

(G) Subsections (a), (b)(1), (b)(2), and (c)(1) of section 7123.

(H) Subsections (c)(7)(B)(i), and (g)(2)(A) of section 7430.

(I) Section 7522(b)(3).

(J) Section 7612(c)(2)(A).

(2) Section 7430(c)(2) is amended by striking ''Internal Revenue Service Office of Appeals'' each place it appears and inserting ''Internal Revenue Service Independent Office of Appeals''.

(3) The heading of section 6330(d)(3) is amended by inserting ''INDEPENDENT'' after ''IRS''.

(c) OTHER REFERENCES.—Any reference in any provision of law, or regulation or other guidance, to the Internal Revenue Service Office of Appeals shall be treated as a reference to the Internal Revenue Service Independent Office of Appeals.

(d) SAVINGS PROVISIONS.—Rules similar to the rules of paragraphs (2) through (6) of section 1001(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall apply for purposes of this section (and the amendments made by this section).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) ACCESS TO CASE FILES.—Section 7803(e)(7) of the Internal Revenue Code of 1986, as added by subsection (a), shall apply to conferences occurring after the date which is 1 year after the date of the enactment of this Act.

Subtitle B—Improved Service

SEC. 1101. COMPREHENSIVE CUSTOMER SERVICE STRATEGY.

(a) IN GENERAL.—Not later than the date which is 1 year after the date of the enactment of this Act, the Secretary of the Treasury shall submit to Congress a written comprehensive customer service strategy for the Internal Revenue Service. Such strategy shall include—

(1) a plan to provide assistance to taxpayers that is secure, designed to meet reasonable taxpayer expectations, and adopts appropriate best practices of customer service provided in the private sector, including online services, telephone call back services, and training of employees providing customer services;

(2) a thorough assessment of the services that the Internal Revenue Service can co-locate with other Federal services or offer as self-service options;

(3) proposals to improve Internal Revenue Service customer service in the short term (the current and following fiscal year), medium term (approximately 3 to 5 fiscal years), and long term (approximately 10 fiscal years);

(4) a plan to update guidance and training materials for customer service employees of the Internal Revenue Service, including the Internal Revenue Manual, to reflect such strategy; and

(5) identified metrics and benchmarks for quantitatively measuring the progress of the Internal Revenue Service in implementing such strategy.

(b) UPDATED GUIDANCE AND TRAINING MATERIALS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall make available the updated guidance and training materials described in subsection (a)(4) (including the Internal Revenue Manual). Such updated guidance and training materials (including the Internal Revenue Manual) shall be written in a manner so as to be easily understood by customer service employees of the Internal Revenue Service and shall provide clear instructions.

SEC. 1102. IRS FREE FILE PROGRAM.

(a) IN GENERAL.—

(1) The Secretary of the Treasury, or the Secretary's delegate, shall continue to operate the IRS Free File Program as established by the Internal Revenue Service and published in the Federal Register on November 4, 2002 (67 Fed. Reg. 67247), including any subsequent agreements and governing rules established pursuant thereto.

(2) The IRS Free File Program shall continue to provide free commercial-type online individual income tax preparation and electronic filing services to the lowest 70 percent of taxpayers by adjusted gross income. The number of taxpayers eligible to receive such services each year shall be calculated by the Internal Revenue Service annually based on prior year aggregate taxpayer adjusted gross income data.

(3) In addition to the services described in paragraph (2), and in the same manner, the IRS Free File Program shall continue to make available to all taxpayers (without regard to income) a basic, online electronic fillable forms utility.

(4) The IRS Free File Program shall continue to work cooperatively with the private sector to provide the free individual income tax preparation and the electronic filing services described in paragraphs (2) and (3).

(5) The IRS Free File Program shall work cooperatively with State government agencies to enhance and expand the use of the program to provide needed benefits to the taxpayer while reducing the cost of processing returns.

(b) INNOVATIONS.—The Secretary of the Treasury, or the Secretary's delegate, shall work with the private sector through the IRS Free File Program to identify and implement, consistent with applicable law, innovative new program features to improve and simplify the taxpayer's experience with completing and filing individual income tax returns through voluntary compliance.

SEC. 1103. LOW-INCOME EXCEPTION FOR PAYMENTS OTHERWISE REQUIRED IN CONNECTION WITH A SUBMISSION OF AN OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Section 7122(c) is amended by adding at the end the following new paragraph:

''(3) EXCEPTION FOR LOW-INCOME TAXPAYERS.—Paragraph (1), and any user fee otherwise required in connection with the submission of an offer-in-compromise, shall not apply to any offer-in-compromise with respect to a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 250 percent of the applicable poverty level (as determined by the Secretary).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to offers-in-compromise submitted after the date of the enactment of this Act.

Subtitle C—Sensible Enforcement

SEC. 1201. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking ''Any property'' and inserting the following:

''(A) IN GENERAL.—Any property''; and

(2) by adding at the end the following:

''(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

''(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

''(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

''(I) make a good faith effort to find all persons with an ownership interest in such property; and

''(II) provide each such person so found with a notice of the seizure and of the person's rights under clause (iv).

''(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

''(iv) POST-SEIZURE HEARING.—If a person with an ownership interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.''.

SEC. 1202. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by inserting before section 140 the following new section:

''SEC. 139H. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

''Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139H. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

SEC. 1203. CLARIFICATION OF EQUITABLE RELIEF FROM JOINT LIABILITY.

(a) IN GENERAL.—Section 6015 is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

''(7) STANDARD AND SCOPE OF REVIEW.—Any review of a determination made under this section shall be reviewed de novo by the Tax Court and shall be based upon—

''(A) the administrative record established at the time of the determination, and

''(B) any additional newly discovered or previously unavailable evidence.''; and

(2) by amending subsection (f) to read as follows:

''(f) EQUITABLE RELIEF.—

''(1) IN GENERAL.—Under procedures prescribed by the Secretary, if—

''(A) taking into account all the facts and circumstances, it is inequitable to hold the individual liable for any unpaid tax or any deficiency (or any portion of either), and

''(B) relief is not available to such individual under subsection (b) or (c),

the Secretary may relieve such individual of such liability.

''(2) LIMITATION.—A request for equitable relief under this subsection may be made with respect to any portion of any liability that—

''(A) has not been paid, provided that such request is made before the expiration of the applicable period of limitation under section 6502, or

''(B) has been paid, provided that such request is made during the period in which the individual could submit a timely claim for refund or credit of such payment.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions

or requests filed or pending on or after the date of the enactment of this Act.

SEC. 1204. MODIFICATION OF PROCEDURES FOR ISSUANCE OF THIRD-PARTY SUMMONS.

(a) IN GENERAL.—Section 7609(f) is amended by adding at the end the following flush sentence:

''The Secretary shall not issue any summons described in the preceding sentence unless the information sought to be obtained is narrowly tailored to information that pertains to the failure (or potential failure) of the person or group or class of persons referred to in paragraph (2) to comply with one or more provisions of the internal revenue law which have been identified for purposes of such paragraph.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses served after the date of the enactment of this Act.

SEC. 1205. PRIVATE DEBT COLLECTION AND SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(d)(3) is amended by striking ''or'' at the end of subparagraph (C) and by inserting after subparagraph (D) the following new subparagraphs:

''(E) a taxpayer substantially all of whose income consists of disability insurance benefits under section 223 of the Social Security Act or supplemental security income benefits under title XVI of the Social Security Act (including supplemental security income benefits of the type described in section 1616 of such Act or section 212 of Public Law 93–66), or

''(F) a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 200 percent of the applicable poverty level (as determined by the Secretary).''.

(b) DETERMINATION OF INACTIVE TAX RECEIVABLES ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(c)(2)(A)(ii) is amended by striking ''more than ⅓ of the period of the applicable statute of limitation has lapsed'' and inserting ''more than 2 years has passed since assessment''.

(c) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS OFFERED UNDER TAX COLLECTION CONTRACTS.—Section 6306(b)(1)(B) is amended by striking ''5 years'' and inserting ''7 years''.

(d) CLARIFICATION THAT SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT MAY BE USED FOR PROGRAM COSTS.—

(1) IN GENERAL.—Section 6307(b) is amended—

(A) in paragraph (2), by striking all that follows ''under such program'' and inserting a period; and

(B) in paragraph (3), by striking all that follows ''out of such account'' and inserting ''for other than program costs''.

(2) COMMUNICATIONS, SOFTWARE, AND TECHNOLOGY COSTS TREATED AS PROGRAM COSTS.—Section 6307(d)(2)(B) is amended by striking ''telecommunications'' and inserting ''communications, software, technology''.

(3) CONFORMING AMENDMENT.—Section 6307(d)(2) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by inserting after subparagraph (B) the following new subparagraph:

''(C) reimbursement of the Internal Revenue Service or other government agencies for the cost of administering the qualified tax collection program under section 6306.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to tax receivables identified by the Secretary (or the Secretary's delegate) after December 31, 2019.

(2) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS.—The amendment made by subsection (c) shall apply to contracts entered into after the date of the enactment of this Act.

(3) USE OF SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The amendment made by subsection (d) shall apply to amounts expended from the special compliance personnel program account after the date of the enactment of this Act.

SEC. 1206. REFORM OF NOTICE OF CONTACT OF THIRD PARTIES.

(a) IN GENERAL.—Section 7602(c)(1) is amended to read as follows:

''(1) GENERAL NOTICE.—An officer or employee of the Internal Revenue Service may not contact any person other than the taxpayer with respect to the determination or collection of the tax liability of such taxpayer unless such contact occurs during a period (not greater than 1 year) which is specified in a notice which—

''(A) informs the taxpayer that contacts with persons other than the taxpayer are intended to be made during such period, and

''(B) except as otherwise provided by the Secretary, is provided to the taxpayer not later than 45 days before the beginning of such period.

Nothing in the preceding sentence shall prevent the issuance of notices to the same taxpayer with respect to the same tax liability with periods specified therein that, in the aggregate, exceed 1 year. A notice shall not be issued under this paragraph unless there is an intent at the time such notice is issued to contact persons other than the taxpayer during the period specified in such notice. The preceding sentence shall not prevent the issuance of a notice if the requirement of such sentence is met on the basis of the assumption that the information sought to be obtained by such contact will not be obtained by other means before such contact.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to notices provided, and contacts of persons made, after the date which is 45 days after the date of the enactment of this Act.

SEC. 1207. MODIFICATION OF AUTHORITY TO ISSUE DESIGNATED SUMMONS.

(a) IN GENERAL.—Paragraph (1) of section 6503(j) is amended by striking ''coordinated examination program'' and inserting ''coordinated industry case program''.

(b) REQUIREMENTS FOR SUMMONS.—Clause (i) of section 6503(j)(2)(A) is amended to read as follows:

''(i) the issuance of such summons is preceded by a review and written approval of such issuance by the Commissioner of the relevant operating division of the Internal Revenue Service and the Chief Counsel which—

''(I) states facts clearly establishing that the Secretary has made reasonable requests for the information that is the subject of the summons, and

''(II) is attached to such summons,''.

(c) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—Subsection (j) of section 6503 is amended by adding at the end the following new paragraph:

''(4) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—In any court proceeding described in paragraph (3), the Secretary shall establish that reasonable requests were made for the information that is the subject of the summons.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses issued after the date of the enactment of this Act.

SEC. 1208. LIMITATION ON ACCESS OF NON-INTERNAL REVENUE SERVICE EMPLOYEES TO RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Section 7602 is amended by adding at the end the following new subsection:

''(f) LIMITATION ON ACCESS OF PERSONS OTHER THAN INTERNAL REVENUE SERVICE OFFICERS AND EMPLOYEES.—The Secretary shall not, under the authority of section 6103(n), provide any books, papers, records, or other data obtained pursuant to this section to any person authorized under section 6103(n), except when such person requires such information for the sole purpose of providing expert evaluation and assistance to the Internal Revenue Service. No person other than an officer or employee of the Internal Revenue Service or the Office of Chief Counsel may, on behalf of the Secretary, question a witness under oath whose testimony was obtained pursuant to this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section—

(1) shall take effect on the date of the enactment of this Act; and

(2) shall not fail to apply to a contract in effect under section 6103(n) of the Internal Revenue Code of 1986 merely because such contract was in effect before the date of the enactment of this Act.

Subtitle D—Organizational Modernization

SEC. 1301. OFFICE OF THE NATIONAL TAXPAYER ADVOCATE.

(a) TAXPAYER ADVOCATE DIRECTIVES.—

(1) IN GENERAL.—Section 7803(c) is amended by adding at the end the following new paragraph:

''(5) TAXPAYER ADVOCATE DIRECTIVES.—In the case of any Taxpayer Advocate Directive issued by the National Taxpayer Advocate pursuant to a delegation of authority from the Commissioner of the Internal Revenue Service—

''(A) the Commissioner or a Deputy Commissioner shall modify, rescind, or ensure compliance with such directive not later than 90 days after the issuance of such directive, and

''(B) in the case of any directive which is modified or rescinded by a Deputy Commissioner, the National Taxpayer Advocate may (not later than 90 days after such modification or rescission) appeal to the Commissioner and the Commissioner shall (not later than 90 days after such appeal is made) ensure compliance with such directive as issued by the National Taxpayer Advocate or provide the National Taxpayer Advocate with a detailed description of the reasons for any modification or rescission made or upheld by the Commissioner pursuant to such appeal.''.

(2) REPORT TO CERTAIN COMMITTEES OF CONGRESS REGARDING DIRECTIVES.—Section 7803(c)(2)(B)(ii) is amended by redesignating subclauses (VIII) through (XI) as subclauses (IX) through (XII), respectively, and by inserting after subclause (VII) the following new subclause:

''(VIII) identify any Taxpayer Advocate Directive which was not honored by the Internal Revenue Service in a timely manner, as specified under paragraph (5),''.

(b) NATIONAL TAXPAYER ADVOCATE ANNUAL REPORTS TO CONGRESS.—

(1) INCLUSION OF MOST SERIOUS TAXPAYER PROBLEMS.—Section 7803(c)(2)(B)(ii)(III) is amended by striking ''at least 20 of the'' and inserting ''the 10''.

(2) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Section 7803(c)(2) is amended by adding at the end the following new subparagraph:

''(E) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Before beginning any research or study, the National Taxpayer Advocate shall coordinate with the Treasury Inspector General for Tax Administration to ensure that the National Taxpayer Advocate does not duplicate any action that the Treasury Inspector General for Tax Administration has already undertaken or has a plan to undertake.''.

(3) STATISTICAL SUPPORT.—

(A) IN GENERAL.—Section 6108 is amended by adding at the end the following new subsection:

''(d) STATISTICAL SUPPORT FOR NATIONAL TAXPAYER ADVOCATE.—The Secretary shall, upon request of the National Taxpayer Advocate, provide the National Taxpayer Advocate with statistical support in connection with the preparation by the National Taxpayer Advocate of the annual report described in section 7803(c)(2)(B)(ii). Such statistical support shall include statistical studies, compilations, and the review of information provided by the National Taxpayer Advocate for statistical validity and sound statistical methodology.''.

(B) DISCLOSURE OF REVIEW.—Section 7803(c)(2)(B)(ii), as amended by subsection (a), is amended by redesignating subclause (XII) as subclause (XIII) and by inserting after subclause (XI) the following new subclause:

''(XII) with respect to any statistical information included in such report, include a statement of whether such statistical information was reviewed or provided by the Secretary under section 6108(d) and, if so, whether the Secretary determined such information to be statistically valid and based on sound statistical methodology.''.

(C) CONFORMING AMENDMENT.—Section 7803(c)(2)(B)(iii) is amended by adding at the end the following: ''The preceding sentence shall not apply with respect to statistical information provided to the Secretary for review, or received from the Secretary, under section 6108(d).''.

(c) SALARY OF NATIONAL TAXPAYER ADVOCATE.—Section 7803(c)(1)(B)(i) is amended by striking '', or, if the Secretary of the Treasury so determines, at a rate fixed under section 9503 of such title''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) SALARY OF NATIONAL TAXPAYER ADVOCATE.—The amendment made by subsection (c) shall apply to compensation paid to individuals appointed as the National Taxpayer Advocate after the date of the enactment of this Act.

SEC. 1302. MODERNIZATION OF INTERNAL REVENUE SERVICE ORGANIZATIONAL STRUCTURE.

(a) IN GENERAL.—Not later than September 30, 2020, the Commissioner of the Internal Revenue Service shall submit to Congress a comprehensive written plan to redesign the organization of the Internal Revenue Service. Such plan shall—

(1) ensure the successful implementation of the priorities specified by Congress in this Act;

(2) prioritize taxpayer services to ensure that all taxpayers easily and readily receive the assistance that they need;

(3) streamline the structure of the agency including minimizing the duplication of services and responsibilities within the agency;

(4) best position the Internal Revenue Service to combat cybersecurity and other threats to the Internal Revenue Service; and

(5) address whether the Criminal Investigation Division of the Internal Revenue Service should report directly to the Commissioner.

(b) REPEAL OF RESTRICTION ON ORGANIZATIONAL STRUCTURE OF INTERNAL REVENUE SERVICE.—Paragraph (3) of section 1001(a) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall cease to apply beginning 1 year after the date on which the Commissioner of the Internal Revenue Service submits to Congress the plan described in subsection (a).

Subtitle E—Other Provisions

SEC. 1401. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

(a) IN GENERAL.—Chapter 77 is amended by inserting after section 7526 the following new section:

''SEC. 7526A. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

''(a) ESTABLISHMENT OF VOLUNTEER INCOME TAX ASSISTANCE MATCHING GRANT PROGRAM.—The Secretary shall establish a Community Volunteer Income Tax Assistance Matching Grant Program under which the Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation programs assisting applicable taxpayers and members of underserved populations.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Qualified return preparation programs may use grants received under this section for—

''(A) ordinary and necessary costs associated with program operation in accordance with cost principles under the applicable Office of Management and Budget circular, including—

''(i) wages or salaries of persons coordinating the activities of the program,

''(ii) developing training materials, conducting training, and performing quality reviews of the returns prepared under the program,

''(iii) equipment purchases, and

''(iv) vehicle-related expenses associated with remote or rural tax preparation services,

''(B) outreach and educational activities described in subsection (c)(2)(B), and

''(C) services related to financial education and capability, asset development, and the establishment of savings accounts in connection with tax return preparation.

''(2) REQUIREMENT OF MATCHING FUNDS.—A qualified return preparation program must provide matching funds on a dollar-for-dollar basis for all grants provided under this section. Matching funds may include—

''(A) the salary (including fringe benefits) of individuals performing services for the program,

''(B) the cost of equipment used in the program, and

''(C) other ordinary and necessary costs associated with the program.

Indirect expenses, including general overhead of any entity administering the program, shall not be counted as matching funds.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each applicant for a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications which demonstrate—

''(A) assistance to applicable taxpayers, with emphasis on outreach to, and services for, such taxpayers,

''(B) taxpayer outreach and educational activities relating to eligibility and availability of income supports available through this title, including the earned income tax credit, and

''(C) specific outreach and focus on one or more underserved populations.

''(3) AMOUNTS TAKEN INTO ACCOUNT.—In determining matching grants under this section, the Secretary shall only take into account amounts provided by the qualified return preparation program for expenses described in subsection (b).

''(d) PROGRAM ADHERENCE.—

''(1) IN GENERAL.—The Secretary shall establish procedures for, and shall conduct not less frequently than once every 5 calendar years during which a qualified return preparation program is operating under a grant under this section, periodic site visits—

''(A) to ensure the program is carrying out the purposes of this section, and

''(B) to determine whether the program meets such program adherence standards as the Secretary shall by regulation or other guidance prescribe.

''(2) ADDITIONAL REQUIREMENTS FOR GRANT RECIPIENTS NOT MEETING PROGRAM ADHERENCE STANDARDS.—In the case of any qualified return preparation program which—

''(A) is awarded a grant under this section, and

''(B) is subsequently determined—

''(i) not to meet the program adherence standards described in paragraph (1)(B), or

''(ii) not to be otherwise carrying out the purposes of this section,

such program shall not be eligible for any additional grants under this section unless such program provides sufficient documentation of corrective measures established to address any such deficiencies determined.

''(e) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED RETURN PREPARATION PROGRAM.—The term 'qualified return preparation program' means any program—

''(A) which provides assistance to individuals, not less than 90 percent of whom are applicable taxpayers, in preparing and filing Federal income tax returns,

''(B) which is administered by a qualified entity,

''(C) in which all volunteers who assist in the preparation of Federal income tax returns meet the training requirements prescribed by the Secretary, and

''(D) which uses a quality review process which reviews 100 percent of all returns.

''(2) QUALIFIED ENTITY.—

''(A) IN GENERAL.—The term 'qualified entity' means any entity which—

''(i) is an eligible organization,

''(ii) is in compliance with Federal tax filing and payment requirements,

''(iii) is not debarred or suspended from Federal contracts, grants, or cooperative agreements, and

''(iv) agrees to provide documentation to substantiate any matching funds provided pursuant to the grant program under this section.

''(B) ELIGIBLE ORGANIZATION.—The term 'eligible organization' means—

''(i) an institution of higher education which is described in section 102 (other than subsection (a)(1)(C) thereof) of the Higher Education Act of 1965 (20 U.S.C. 1002), as in effect on the date of the enactment of this section, and which has not been disqualified from participating in a program under title IV of such Act,

''(ii) an organization described in section 501(c) and exempt from tax under section 501(a),

''(iii) a local government agency, including—

''(I) a county or municipal government agency, and

''(II) an Indian tribe, as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)), including any tribally designated housing entity (as defined in section 4(22) of such Act (25 U.S.C. 4103(22))), tribal subsidiary, subdivision, or other wholly owned tribal entity,

''(iv) a local, State, regional, or national coalition (with one lead organization which meets the eligibility requirements of clause (i), (ii), or (iii) acting as the applicant organization), or

''(v) in the case of applicable taxpayers and members of underserved populations with respect to which no organizations described in the preceding clauses are available—

''(I) a State government agency, or

''(II) an office providing Cooperative Extension services (as established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914).

''(3) APPLICABLE TAXPAYERS.—The term 'applicable taxpayer' means a taxpayer whose income for the taxable year does not exceed an amount equal to the completed phaseout amount under section 32(b) for a married couple filing a joint return with three or more qualifying children, as determined in a revenue procedure or other published guidance.

''(4) UNDERSERVED POPULATION.—The term 'underserved population' includes populations of persons with disabilities, persons with limited English proficiency, Native Americans, individuals living in rural areas, members of the Armed Forces and their spouses, and the elderly.

''(f) SPECIAL RULES AND LIMITATIONS.—

''(1) DURATION OF GRANTS.—Upon application of a qualified return preparation program, the Secretary is authorized to award a multi-year grant not to exceed 3 years.

''(2) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than $30,000,000 per fiscal year (exclusive of costs of administering the program) to grants under this section.

''(g) PROMOTION OF PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall promote tax preparation through qualified return preparation programs through the use of mass communications and other means.

''(2) PROVISION OF INFORMATION REGARDING QUALIFIED RETURN PREPARATION PROGRAMS.—The Secretary may provide taxpayers information regarding qualified return preparation programs receiving grants under this section.

''(3) VITA GRANTEE REFERRAL.—Qualified return preparation programs receiving a grant under this section are encouraged, in appropriate cases, to—

''(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from qualified low-income taxpayer clinics receiving funding under section 7526, and

''(B) provide information regarding the location of, and contact information for, such clinics.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

''Sec. 7526A. Return preparation programs for applicable taxpayers.''.

SEC. 1402. PROVISION OF INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS.

(a) IN GENERAL.—Section 7526(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) PROVISION OF INFORMATION REGARDING QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may—

''(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from one or more specific qualified low-income taxpayer clinics receiving funding under this section, and

''(B) provide information regarding the location of, and contact information for, such clinics.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 1403. NOTICE FROM IRS REGARDING CLOSURE OF TAXPAYER ASSISTANCE CENTERS.

Not later than 90 days before the date that a proposed closure of a Taxpayer Assistance Center would take effect, the Secretary of the Treasury (or the Secretary's delegate) shall—

(1) make publicly available (including by non-electronic means) a notice which—

(A) identifies the Taxpayer Assistance Center proposed for closure and the date of such proposed closure; and

(B) identifies the relevant alternative sources of taxpayer assistance which may be utilized by taxpayers affected by such proposed closure; and

(2) submit to Congress a written report that includes—

(A) the information included in the notice described in paragraph (1);

(B) the reasons for such proposed closure; and

(C) such other information as the Secretary may determine appropriate.

SEC. 1404. RULES FOR SEIZURE AND SALE OF PERISHABLE GOODS RESTRICTED TO ONLY PERISHABLE GOODS.

(a) IN GENERAL.—Section 6336 of the Internal Revenue Code of 1986 is amended by striking ''or become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property seized after the date of the enactment of this Act.

SEC. 1405. WHISTLEBLOWER REFORMS.

(a) MODIFICATIONS TO DISCLOSURE RULES FOR WHISTLEBLOWERS.—

(1) IN GENERAL.—Section 6103(k) is amended by adding at the end the following new paragraph:

''(13) DISCLOSURE TO WHISTLEBLOWERS.—

''(A) IN GENERAL.—The Secretary may disclose, to any individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a), return information related to the investigation of any taxpayer with respect to whom the individual has provided such information, but only to the extent that such disclosure is necessary in obtaining information, which is not otherwise reasonably available, with respect to the correct determination of tax liability for tax, or the amount to be collected with respect to the enforcement of any other provision of this title.

''(B) UPDATES ON WHISTLEBLOWER INVESTIGATIONS.—The Secretary shall disclose to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) the following:

''(i) Not later than 60 days after a case for which the individual has provided information has been referred for an audit or examination, a notice with respect to such referral.

''(ii) Not later than 60 days after a taxpayer with respect to whom the individual has provided information has made a payment of tax with respect to tax liability to which such information relates, a notice with respect to such payment.

''(iii) Subject to such requirements and conditions as are prescribed by the Secretary, upon a written request by such individual—

''(I) information on the status and stage of any investigation or action related to such information, and

''(II) in the case of a determination of the amount of any award under section 7623(b), the reasons for such determination.

Clause (iii) shall not apply to any information if the Secretary determines that disclosure of such information would seriously impair Federal tax administration. Information described in clauses (i), (ii), and (iii) may be disclosed to a designee of the individual providing such information in accordance with guidance provided by the Secretary.''.

(2) CONFORMING AMENDMENTS.—

(A) CONFIDENTIALITY OF INFORMATION.—Section 6103(a)(3) is amended by striking ''subsection (k)(10)'' and inserting ''paragraph (10) or (13) of subsection (k)''.

(B) PENALTY FOR UNAUTHORIZED DISCLOSURE.—Section 7213(a)(2) is amended by striking ''(k)(10)'' and inserting ''(k)(10) or (13)''.

(C) COORDINATION WITH AUTHORITY TO DISCLOSE FOR INVESTIGATIVE PURPOSES.—Section 6103(k)(6) is amended by adding at the end the following new sentence: ''This paragraph shall not apply to any disclosure to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) which is made under paragraph (13)(A).''.

(b) PROTECTION AGAINST RETALIATION.—Section 7623 is amended by adding at the end the following new subsection:

''(d) CIVIL ACTION TO PROTECT AGAINST RETALIATION CASES.—

''(1) ANTI-RETALIATION WHISTLEBLOWER PROTECTION FOR EMPLOYEES.—No employer, or any officer, employee, contractor, subcontractor, or agent of such employer, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment (including through an act in the ordinary course of such employee's duties) in reprisal for any lawful act done by the employee—

''(A) to provide information, cause information to be provided, or otherwise assist in an investigation regarding underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, when the information or assistance is provided to the Internal Revenue Service, the Secretary of Treasury, the Treasury Inspector General for Tax Administration, the Comptroller General of the United States, the Department of Justice, the United States Congress, a person with supervisory authority over the employee, or any other person working for the employer who has the authority to investigate, discover, or terminate misconduct, or

''(B) to testify, participate in, or otherwise assist in any administrative or judicial action taken by the Internal Revenue Service relating to an alleged underpayment of tax or any violation of the internal revenue laws or any provision of Federal law relating to tax fraud.

''(2) ENFORCEMENT ACTION.—

''(A) IN GENERAL.—A person who alleges discharge or other reprisal by any person in violation of paragraph (1) may seek relief under paragraph (3) by—

''(i) filing a complaint with the Secretary of Labor, or

''(ii) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of

the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(B) PROCEDURE.—

''(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

''(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

''(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code, except that in applying such section—

''(I) 'behavior described in paragraph (1)' shall be substituted for 'behavior described in paragraphs (1) through (4) of subsection (a)' each place it appears in paragraph (2)(B) thereof, and

''(II) 'a violation of paragraph (1)' shall be substituted for 'a violation of subsection (a)' each place it appears.

''(iv) STATUTE OF LIMITATIONS.—A complaint under subparagraph (A)(i) shall be filed not later than 180 days after the date on which the violation occurs.

''(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

''(3) REMEDIES.—

''(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

''(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

''(i) reinstatement with the same seniority status that the employee would have had, but for the reprisal,

''(ii) the sum of 200 percent of the amount of back pay and 100 percent of all lost benefits, with interest, and

''(iii) compensation for any special damages sustained as a result of the reprisal, including litigation costs, expert witness fees, and reasonable attorney fees.

''(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

''(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

''(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to disclosures made after the date of the enactment of this Act.

(2) CIVIL PROTECTION.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 1406. CUSTOMER SERVICE INFORMATION.

The Secretary of the Treasury (or the Secretary's delegate) shall provide helpful information to taxpayers placed on hold during a telephone call to any Internal Revenue Service help line, including the following:

(1) Information about common tax scams.

(2) Information on where and how to report tax scams.

(3) Additional advice on how taxpayers can protect themselves from identity theft and tax scams.

SEC. 1407. MISDIRECTED TAX REFUND DEPOSITS.

Section 6402 is amended by adding at the end the following new subsection:

''(n) MISDIRECTED DIRECT DEPOSIT REFUND.—Not later than the date which is 6 months after the date of the enactment of the Taxpayer First Act of 2018, the Secretary shall prescribe regulations to establish procedures to allow for—

''(1) taxpayers to report instances in which a refund made by the Secretary by electronic funds transfer was erroneously delivered to an account at a financial institution for which the taxpayer is not the owner;

''(2) coordination with financial institutions for the purpose of—

''(A) identifying erroneous payments described in paragraph (1); and

''(B) recovery of the erroneously transferred amounts; and

''(3) the refund to be delivered to the correct account of the taxpayer.''.

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

SEC. 2001. PUBLIC-PRIVATE PARTNERSHIP TO ADDRESS IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury (or the Secretary's delegate) shall work collaboratively with the public and private sectors to protect taxpayers from identity theft refund fraud.

SEC. 2002. RECOMMENDATIONS OF ELECTRONIC TAX ADMINISTRATION ADVISORY COMMITTEE REGARDING IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury shall ensure that the advisory group convened by the Secretary pursuant to section 2001(b)(2) of the Internal Revenue Service Restructuring and Reform Act of 1998 (commonly known as the Electronic Tax Administration Advisory Committee) studies (including by providing organized public forums) and makes recommendations to the Secretary regarding methods to prevent identity theft and refund fraud.

SEC. 2003. INFORMATION SHARING AND ANALYSIS CENTER.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) may participate in an information sharing and analysis center to centralize, standardize, and enhance data compilation and analysis to facilitate sharing actionable data and information with respect to identity theft tax refund fraud.

(b) DEVELOPMENT OF PERFORMANCE METRICS.—The Secretary of the Treasury (or the Secretary's delegate) shall develop metrics for measuring the success of such center in detecting and preventing identity theft tax refund fraud.

(c) DISCLOSURE.—

(1) IN GENERAL.—Section 6103(k), as amended by this Act, is amended by adding at the end the following new paragraph:

''(14) DISCLOSURE OF RETURN INFORMATION FOR PURPOSES OF CYBERSECURITY AND THE PREVENTION OF IDENTITY THEFT TAX REFUND FRAUD.—

''(A) IN GENERAL.—Under such procedures and subject to such conditions as the Secretary may prescribe, the Secretary may disclose specified return information to specified ISAC participants to the extent that the Secretary determines such disclosure is in furtherance of effective Federal tax administration relating to the detection or prevention of identity theft tax refund fraud, validation of taxpayer identity, authentication of taxpayer returns, or detection or prevention of cybersecurity threats.

''(B) SPECIFIED ISAC PARTICIPANTS.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified ISAC participant' means—

''(I) any person designated by the Secretary as having primary responsibility for a function performed with respect to the information sharing and analysis center described in section 2003(a) of the Taxpayer First Act of 2018, and

''(II) any person subject to the requirements of section 7216 and which is a participant in such information sharing and analysis center.

''(ii) INFORMATION SHARING AGREEMENT.—Such term shall not include any person unless such person has entered into a written agreement with the Secretary setting forth the terms and conditions for the disclosure of information to such person under this paragraph, including requirements regarding the protection and safeguarding of such information by such person.

''(C) SPECIFIED RETURN INFORMATION.—For purposes of this paragraph, the term 'specified return information' means—

''(i) in the case of a return which is in connection with a case of potential identity theft refund fraud—

''(I) in the case of such return filed electronically, the internet protocol address, device identification, email domain name, speed of completion, method of authentication, refund method, and such other return information related to the electronic filing characteristics of such return as the Secretary may identify for purposes of this subclause, and

''(II) in the case of such return prepared by a tax return preparer, identifying information with respect to such tax return preparer, including the preparer taxpayer identification number and electronic filer identification number of such preparer,

''(ii) in the case of a return which is in connection with a case of a identity theft refund fraud which has been confirmed by the Secretary (pursuant to such procedures as the Secretary may provide), the information referred to in subclauses (I) and (II) of clause (i), the name and taxpayer identification number of the taxpayer as it appears on the return, and any bank account and routing information provided for making a refund in connection with such return, and

''(iii) in the case of any cybersecurity threat to the Internal Revenue Service, information similar to the information described in subclauses (I) and (II) of clause (i) with respect to such threat.

''(D) RESTRICTION ON USE OF DISCLOSED INFORMATION.—

''(i) DESIGNATED THIRD PARTIES.—Any return information received by a person described in subparagraph (B)(i)(I) shall be used only for the purposes of and to the extent necessary in—

''(I) performing the function such person is designated to perform under such subparagraph,

''(II) facilitating disclosures authorized under subparagraph (A) to persons described in subparagraph (B)(i)(II), and

''(III) facilitating disclosures authorized under subsection (d) to participants in such information sharing and analysis center.

''(ii) RETURN PREPARERS.—Any return information received by a person described in subparagraph (B)(i)(II) shall be treated for purposes of section 7216 as information furnished to such person for, or in connection with, the preparation of a return of the tax imposed under chapter 1.

''(E) DATA PROTECTION AND SAFEGUARDS.—Return information disclosed under this

paragraph shall be subject to such protections and safeguards as the Secretary may require in regulations or other guidance or in the written agreement referred to in subparagraph (B)(ii). Such written agreement shall include a requirement that any unauthorized access to information disclosed under this paragraph, and any breach of any system in which such information is held, be reported to the Treasury Inspector General for Tax Administration.''.

(2) APPLICATION OF CIVIL AND CRIMINAL PENALTIES.—

(A) Section 6103(a)(3), as amended by this Act, is amended by striking ''or (13)'' and inserting ''(13), or (14)''.

(B) Section 7213(a)(2), as amended by this Act, is amended by striking ''or (13)'' and inserting ''(13), or (14)''.

SEC. 2004. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS AND OTHER AGENTS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed to any contractor or other agent of a Federal, State, or local agency unless such agency, to the satisfaction of the Secretary—

''(A) has requirements in effect which require each such contractor or other agent which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an on-site review every 3 years (or a mid-point review in the case of contracts or agreements of less than 3 years in duration) of each contractor or other agent to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that such contractor or other agent is in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor or other agent, a description of the contract or agreement with such contractor or other agent, and the duration of such contract or agreement. The requirements of this paragraph shall not apply to disclosures pursuant to subsection (n) for purposes of Federal tax administration.''.

(b) CONFORMING AMENDMENT.—Section 6103(p)(8)(B) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after December 31, 2022.

SEC. 2005. REPORT ON ELECTRONIC PAYMENTS.

Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in coordination with the Bureau of Fiscal Service and the Internal Revenue Service, and in consultation with private sector financial institutions, shall submit a written report to Congress describing how the government can utilize new payment platforms to increase the number of tax refunds paid by electronic funds transfer. Such report shall weigh the interests of reducing identity theft tax refund fraud, reducing the Federal Government's costs in delivering tax refunds, the costs and any associated fees charged to taxpayers (including monthly and point-of-service fees) to access their tax refunds, the impact on individuals who do not have access to financial accounts or institutions, and ensuring payments are made to accounts at a financial institution that complies with section 21 of the Federal Deposit Insurance Act, chapter 2 of title I of Public Law 91–508, and subchapter II of chapter 53 of title 31, United States Code (commonly referred to collectively as the ''Bank Secrecy Act'') and the USA PATRIOT Act. Such report shall include any legislative recommendations necessary to accomplish these goals.

SEC. 2006. IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall establish a program to issue, upon the request of any individual, a number which may be used in connection with such individual's social security number (or other identifying information with respect to such individual as determined by the Secretary) to assist the Secretary in verifying such individual's identity.

(b) REQUIREMENTS.—

(1) ANNUAL EXPANSION.—For each calendar year beginning after the date of the enactment of this Act, the Secretary shall provide numbers through the program described in subsection (a) to individuals residing in such States as the Secretary deems appropriate, provided that the total number of States served by such program during such year is greater than the total number of States served by such program during the preceding year.

(2) NATIONWIDE AVAILABILITY.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall ensure that the program described in subsection (a) is made available to any individual residing in the United States.

SEC. 2007. SINGLE POINT OF CONTACT FOR TAX-RELATED IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall establish and implement procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to tax-related identity theft has a single point of contact at the Internal Revenue Service throughout the processing of the taxpayer's case. The single point of contact shall track the taxpayer's case to completion and coordinate with other Internal Revenue Service employees to resolve case issues as quickly as possible.

(b) SINGLE POINT OF CONTACT.—

(1) IN GENERAL.—For purposes of subsection (a), the single point of contact shall consist of a team or subset of specially trained employees who—

(A) have the ability to work across functions to resolve the issues involved in the taxpayer's case; and

(B) shall be accountable for handling the case until its resolution.

(2) TEAM OR SUBSET.—The employees included within the team or subset described in paragraph (1) may change as required to meet the needs of the Internal Revenue Service, provided that procedures have been established to—

(A) ensure continuity of records and case history; and

(B) notify the taxpayer when appropriate.

SEC. 2008. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 77 is amended by adding at the end the following new section:

''SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

''(a) IN GENERAL.—If the Secretary determines that there has been or may have been an unauthorized use of the identity of any individual, the Secretary shall, without jeopardizing an investigation relating to tax administration—

''(1) as soon as practicable, notify the individual of such determination and provide—

''(A) instructions on how to file a report with law enforcement regarding the unauthorized use of the identity of the individual,

''(B) the identification of any forms necessary for the individual to complete and submit to law enforcement to permit access to personal information of the individual during the investigation,

''(C) information regarding actions the individual may take in order to protect the individual from harm relating to such unauthorized use, and

''(D) an offer of identity protection measures to be provided to the individual by the Internal Revenue Service, such as the use of an identity protection personal identification number, and

''(2) at the time the information described in paragraph (1) is provided (or, if not available at such time, as soon as practicable thereafter), issue additional notifications to such individual (or such individual's designee) regarding—

''(A) whether an investigation has been initiated in regards to such unauthorized use,

''(B) whether the investigation substantiated an unauthorized use of the identity of the individual, and

''(C) whether—

''(i) any action has been taken against a person relating to such unauthorized use, or

''(ii) any referral has been made for criminal prosecution of such person and, to the extent such information is available, whether such person has been criminally charged by indictment or information.

''(b) EMPLOYMENT-RELATED IDENTITY THEFT.—

''(1) IN GENERAL.—For purposes of this section, the unauthorized use of the identity of an individual includes the unauthorized use of the identity of the individual to obtain employment.

''(2) DETERMINATION OF EMPLOYMENT-RELATED IDENTITY THEFT.—For purposes of this section, in making a determination as to whether there has been or may have been an unauthorized use of the identity of an individual to obtain employment, the Secretary shall review any information—

''(A) obtained from a statement described in section 6051 or an information return relating to compensation for services rendered other than as an employee, or

''(B) provided to the Internal Revenue Service by the Social Security Administration regarding any statement described in section 6051,

which indicates that the social security account number provided on such statement or information return does not correspond with the name provided on such statement or information return or the name on the tax return reporting the income which is included on such statement or information return.''.

(b) ADDITIONAL MEASURES.—

(1) EXAMINATION OF BOTH PAPER AND ELECTRONIC STATEMENTS AND RETURNS.—The Secretary of the Treasury (or the Secretary's delegate) shall examine the statements, information returns, and tax returns described in section 7529(b)(2) of the Internal Revenue Code of 1986 (as added by subsection (a)) for any evidence of employment-related identity theft, regardless of whether such statements or returns are submitted electronically or on paper.

(2) IMPROVEMENT OF EFFECTIVE RETURN PROCESSING PROGRAM WITH SOCIAL SECURITY ADMINISTRATION.—Section 232 of the Social Security Act (42 U.S.C. 432) is amended by inserting after the third sentence the following: ''For purposes of carrying out the return processing program described in the

preceding sentence, the Commissioner of Social Security shall request, not less than annually, such information described in section 7529(b)(2) of the Internal Revenue Code of 1986 as may be necessary to ensure the accuracy of the records maintained by the Commissioner of Social Security related to the amounts of wages paid to, and the amounts of self-employment income derived by, individuals.''.

(3) UNDERREPORTING OF INCOME.—The Secretary (or the Secretary's delegate) shall establish procedures to ensure that income reported in connection with the unauthorized use of a taxpayer's identity is not taken into account in determining any penalty for underreporting of income by the victim of identity theft.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7529. Notification of suspected identity theft.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date that is 6 months after the date of the enactment of this Act.

SEC. 2009. GUIDELINES FOR STOLEN IDENTITY REFUND FRAUD CASES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary (or the Secretary's delegate), in consultation with the National Taxpayer Advocate, shall develop and implement publicly available guidelines for management of cases involving stolen identity refund fraud in a manner that reduces the administrative burden on taxpayers who are victims of such fraud.

(b) STANDARDS AND PROCEDURES TO BE CONSIDERED.—The guidelines described in subsection (a) may include—

(1) standards for—

(A) the average length of time in which a case involving stolen identity refund fraud should be resolved;

(B) the maximum length of time, on average, a taxpayer who is a victim of stolen identity refund fraud and is entitled to a tax refund which has been stolen should have to wait to receive such refund; and

(C) the maximum number of offices and employees within the Internal Revenue Service with whom a taxpayer who is a victim of stolen identity refund fraud should be required to interact in order to resolve a case;

(2) standards for opening, assigning, reassigning, or closing a case involving stolen identity refund fraud; and

(3) procedures for implementing and accomplishing the standards described in paragraphs (1) and (2), and measures for evaluating such procedures and determining whether such standards have been successfully implemented.

SEC. 2010. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

''(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

''(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

''(A) by substituting '$1,000' for '$250', and

''(B) by substituting '$50,000' for '$10,000'.

''(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this subsection applies and to which it does not apply.''.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking ''$1,000'' and inserting ''$1,000 ($100,000 in the case of a disclosure or use to which section 6713(b) applies)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses on or after the date of the enactment of this Act.

Subtitle B—Development of Information Technology

SEC. 2101. MANAGEMENT OF INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.

(a) DUTIES AND RESPONSIBILITIES OF INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—Section 7803, as amended by section 1001, is amended by adding at the end the following new subsection:

''(f) INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—

''(1) IN GENERAL.—There shall be in the Internal Revenue Service an Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the 'IRS CIO') who shall be appointed by the Commissioner of the Internal Revenue Service.

''(2) CENTRALIZED RESPONSIBILITY FOR INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.—The Commissioner of the Internal Revenue Service (and the Secretary) shall act through the IRS CIO with respect to all development, implementation, and maintenance of information technology for the Internal Revenue Service. Any reference in this subsection to the IRS CIO which directs the IRS CIO to take any action, or to assume any responsibility, shall be treated as a reference to the Commissioner of the Internal Revenue Service acting through the IRS CIO.

''(3) GENERAL DUTIES AND RESPONSIBILITIES.—The IRS CIO shall—

''(A) be responsible for the development, implementation, and maintenance of information technology for the Internal Revenue Service,

''(B) ensure that the information technology of the Internal Revenue Service is secure and integrated,

''(C) maintain operational control of all information technology for the Internal Revenue Service,

''(D) be the principal advocate for the information technology needs of the Internal Revenue Service, and

''(E) consult with the Chief Procurement Officer of the Internal Revenue Service to ensure that the information technology acquired for the Internal Revenue Service is consistent with—

''(i) the goals and requirements specified in subparagraphs (A) through (D), and

''(ii) the strategic plan developed under paragraph (4).

''(4) STRATEGIC PLAN.—

''(A) IN GENERAL.—The IRS CIO shall develop and implement a multiyear strategic plan for the information technology needs of the Internal Revenue Service. Such plan shall—

''(i) include performance measurements of such technology and of the implementation of such plan,

''(ii) include a plan for an integrated enterprise architecture of the information technology of the Internal Revenue Service,

''(iii) include and take into account the resources needed to accomplish such plan,

''(iv) take into account planned major acquisitions of information technology by the Internal Revenue Service, including Customer Account Data Engine 2 and the Enterprise Case Management System, and

''(v) align with the needs and strategic plan of the Internal Revenue Service.

''(B) PLAN UPDATES.—The IRS CIO shall, not less frequently than annually, review and update the strategic plan under subparagraph (A) (including the plan for an integrated enterprise architecture described in subparagraph (A)(ii)) to take into account the development of new information technology and the needs of the Internal Revenue Service.

''(5) SCOPE OF AUTHORITY.—

''(A) INFORMATION TECHNOLOGY.—For purposes of this subsection, the term 'information technology' has the meaning given such term by section 11101 of title 40, United States Code.

''(B) INTERNAL REVENUE SERVICE.—Any reference in this subsection to the Internal Revenue Service includes a reference to all components of the Internal Revenue Service, including—

''(i) the Office of the Taxpayer Advocate,

''(ii) the Criminal Investigation Division of the Internal Revenue Service, and

''(iii) except as otherwise provided by the Secretary with respect to information technology related to matters described in subsection (b)(3)(B), the Office of the Chief Counsel.''.

(b) INDEPENDENT VERIFICATION AND VALIDATION OF THE CUSTOMER ACCOUNT DATA ENGINE 2 AND ENTERPRISE CASE MANAGEMENT SYSTEM.—

(1) IN GENERAL.—The Commissioner of the Internal Revenue Service shall enter into a contract with an independent reviewer to verify and validate the implementation plans (including the performance milestones and cost estimates included in such plans) developed for the Customer Account Data Engine 2 and the Enterprise Case Management System.

(2) DEADLINE FOR COMPLETION.—Such contract shall require that such verification and validation be completed not later than the date which is 1 year after the date of the enactment of this Act.

(3) APPLICATION TO PHASES OF CADE 2.—

(A) IN GENERAL.—Paragraphs (1) and (2) shall not apply to phase 1 of the Customer Account Data Engine 2 and shall apply separately to each other phase.

(B) DEADLINE FOR COMPLETING PLANS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of the Internal Revenue Service shall complete the development of plans for all phases of the Customer Account Data Engine 2.

(C) DEADLINE FOR COMPLETION OF VERIFICATION AND VALIDATION OF PLANS.—In the case of any phase after phase 2 of the Customer Account Data Engine 2, paragraph (2) shall be applied by substituting ''the date on which the plan for such phase was completed'' for ''the date of the enactment of this Act''.

(c) COORDINATION OF IRS CIO AND CHIEF PROCUREMENT OFFICER OF THE INTERNAL REVENUE SERVICE.—

(1) IN GENERAL.—The Chief Procurement Officer of the Internal Revenue Service shall—

(A) identify all significant IRS information technology acquisitions and provide written notification to the Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the ''IRS CIO'') of each such acquisition in advance of such acquisition, and

(B) regularly consult with the IRS CIO regarding acquisitions of information technology for the Internal Revenue Service, including meeting with the IRS CIO regarding such acquisitions upon request.

(2) SIGNIFICANT IRS INFORMATION TECHNOLOGY ACQUISITIONS.—For purposes of this subsection, the term ''significant IRS information technology acquisitions'' means—

(A) any acquisition of information technology for the Internal Revenue Service in excess of $1,000,000; and

(B) such other acquisitions of information technology for the Internal Revenue Service (or categories of such acquisitions) as the IRS CIO, in consultation with the Chief Procurement Officer of the Internal Revenue Service, may identify.

(3) SCOPE.—Terms used in this subsection which are also used in section 7803(f) of the Internal Revenue Code of 1986 (as amended by subsection (a)) shall have the same meaning as when used in such section.

SEC. 2102. INTERNET PLATFORM FOR FORM 1099 FILINGS.

(a) IN GENERAL.—Not later than January 1, 2023, the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall make available an Internet website or other electronic media, with a user interface and functionality similar to the Business Services Online Suite of Services provided by the Social Security Administration, that will provide access to resources and guidance provided by the Internal Revenue Service and will allow persons to—

(1) prepare and file Forms 1099;

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service; and

(3) maintain a record of completed and submitted Forms 1099.

(b) ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the services described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers; and

(2) comply with applicable security standards and guidelines.

SEC. 2103. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

(a) IN GENERAL.—Subchapter A of chapter 80 is amended by adding at the end the following new section:

''SEC. 7812. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

''In the case of any position which is critical to the functionality of the information technology operations of the Internal Revenue Service—

''(1) section 9503 of title 5, United States Code, shall be applied—

''(A) by substituting 'during the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023' for 'Before September 30, 2013 in subsection (a)',

''(B) without regard to subparagraph (B) of subsection (a)(1), and

''(C) by substituting 'the date of the enactment of the Taxpayer First Act of 2018' for 'June 1, 1998' in subsection (a)(6),

''(2) section 9504 of such title 5 shall be applied by substituting 'During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023' for 'Before September 30, 2013' each place it appears in subsections (a) and (b), and

''(3) section 9505 of such title shall be applied—

''(A) by substituting 'During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023' for 'Before September 30, 2013' in subsection (a), and

''(B) by substituting 'the information technology operations' for 'significant functions' in subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 80 is amended by adding at the end the following new item:

''Sec. 7812. Streamlined critical pay authority for information technology positions.''.

Subtitle C—Modernization of Consent-Based Income Verification System

SEC. 2201. DISCLOSURE OF TAXPAYER INFORMATION FOR THIRD-PARTY INCOME VERIFICATION.

(a) IN GENERAL.—Not later than 1 year after the close of the 2-year period described in subsection (d)(1), the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall implement a program to ensure that any qualified disclosure—

(1) is fully automated and accomplished through the Internet; and

(2) is accomplished in as close to real-time as is practicable.

(b) QUALIFIED DISCLOSURE.—For purposes of this section, the term ''qualified disclosure'' means a disclosure under section 6103(c) of the Internal Revenue Code of 1986 of returns or return information by the Secretary to a person seeking to verify the income or creditworthiness of a taxpayer who is a borrower in the process of a loan application.

(c) APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the program described in subsection (a) complies with applicable security standards and guidelines.

(d) USER FEE.—

(1) IN GENERAL.—During the 2-year period beginning on the first day of the 6th calendar month beginning after the date of the enactment of this Act, the Secretary shall assess and collect a fee for qualified disclosures (in addition to any other fee assessed and collected for such disclosures) at such rates as the Secretary determines are sufficient to cover the costs related to implementing the program described in subsection (a), including the costs of any necessary infrastructure or technology.

(2) DEPOSIT OF COLLECTIONS.—Amounts received from fees assessed and collected under paragraph (1) shall be deposited in, and credited to, an account solely for the purpose of carrying out the activities described in subsection (a). Such amounts shall be available to carry out such activities without need of further appropriation and without fiscal year limitation.

SEC. 2202. LIMIT REDISCLOSURES AND USES OF CONSENT-BASED DISCLOSURES OF TAX RETURN INFORMATION.

(a) IN GENERAL.—Section 6103(c) is amended by adding at the end the following: ''Persons designated by the taxpayer under this subsection to receive return information shall not use the information for any purpose other than the express purpose for which consent was granted and shall not disclose return information to any other person without the express permission of, or request by, the taxpayer.''.

(b) APPLICATION OF PENALTIES.—Section 6103(a)(3) is amended by inserting ''subsection (c),'' after ''return information under''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after the date of the enactment of this Act.

Subtitle D—Expanded Use of Electronic Systems

SEC. 2301. ELECTRONIC FILING OF RETURNS.

(a) IN GENERAL.—Section 6011(e)(2)(A) is amended by striking ''250'' and inserting ''the applicable number of''.

(b) APPLICABLE NUMBER.—Section 6011(e) is amended by striking paragraph (5) and inserting the following new paragraphs:

''(5) APPLICABLE NUMBER.—

''(A) IN GENERAL.—For purposes of paragraph (2)(A), the applicable number shall be—

''(i) except as provided in subparagraph (B), in the case of calendar years before 2020, 250,

''(ii) in the case of calendar year 2020, 100, and

''(iii) in the case of calendar years after 2020, 10.

''(B) SPECIAL RULE FOR PARTNERSHIPS FOR 2018 AND 2019.—In the case of a partnership, for any calendar year before 2020, the applicable number shall be—

''(i) in the case of calendar year 2018, 200, and

''(ii) in the case of calendar year 2019, 150.

''(6) PARTNERSHIPS REQUIRED TO FILE ON MAGNETIC MEDIA.—Notwithstanding paragraph (2)(A), the Secretary shall require partnerships having more than 100 partners to file returns on magnetic media.''.

(c) RETURNS FILED BY A TAX RETURN PREPARER.—Section 6011(e)(3) is amended by adding at the end the following new subparagraph:

''(D) EXCEPTION FOR CERTAIN PREPARERS LOCATED IN AREAS WITHOUT INTERNET ACCESS.—The Secretary may waive the requirement of subparagraph (A) if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement by reason of being located in a geographic area which does not have access to internet service (other than dial-up or satellite service).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2302. UNIFORM STANDARDS FOR THE USE OF ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.

Section 6061(b)(3) is amended to read as follows:

''(3) PUBLISHED GUIDANCE.—

''(A) IN GENERAL.—The Secretary shall publish guidance as appropriate to define and implement any waiver of the signature requirements or any method adopted under paragraph (1).

''(B) ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.—Not later than 6 months after the date of the enactment of this subparagraph, the Secretary shall publish guidance to establish uniform standards and procedures for the acceptance of taxpayers' signatures appearing in electronic form with respect to any request for disclosure of a taxpayer's return or return information under section 6103(c) to a practitioner or any power of attorney granted by a taxpayer to a practitioner.

''(C) PRACTITIONER.—For purposes of subparagraph (B), the term 'practitioner' means any individual in good standing who is regulated under section 330 of title 31, United States Code.''.

SEC. 2303. PAYMENT OF TAXES BY DEBIT AND CREDIT CARDS.

Section 6311(d)(2) is amended by adding at the end the following: ''The preceding sentence shall not apply to the extent that the Secretary ensures that any such fee or other consideration is fully recouped by the Secretary in the form of fees paid to the Secretary by persons paying taxes imposed under subtitle A with credit, debit, or charge cards pursuant to such contract. Notwithstanding the preceding sentence, the Secretary shall seek to minimize the amount of any fee or other consideration that the Secretary pays under any such contract.''.

SEC. 2304. REQUIREMENT THAT ELECTRONICALLY PREPARED PAPER RETURNS INCLUDE SCANNABLE CODE.

(a) IN GENERAL.—Subsection (e) of section 6011, as amended by this Act, is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR RETURNS PREPARED ELECTRONICALLY AND SUBMITTED ON PAPER.—The Secretary shall require that any return of tax which is prepared electronically, but is printed and filed on paper, bear a code which can, when scanned, convert such return to electronic format.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 6011(e) is amended by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (7)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns of tax the due date for which (determined without regard to extensions) is after December 31, 2020.

SEC. 2305. AUTHENTICATION OF USERS OF ELECTRONIC SERVICES ACCOUNTS.

Beginning 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall verify the identity of any individual opening an e-Services account with the Internal Revenue Service before such individual is able to use the e-Services tools.

Subtitle E—Other Provisions

SEC. 2401. REPEAL OF PROVISION REGARDING CERTAIN TAX COMPLIANCE PROCEDURES AND REPORTS.

Section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 6012 note) is repealed.

SEC. 2402. COMPREHENSIVE TRAINING STRATEGY.

Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall submit to Congress a written report providing a comprehensive training strategy for employees of the Internal Revenue Service, including—

(1) a plan to streamline current training processes, including an assessment of the utility of further consolidating internal training programs, technology, and funding;

(2) a plan to develop annual training regarding taxpayer rights, including the role of the Office of the Taxpayer Advocate, for employees that interface with taxpayers and their managers;

(3) a plan to improve technology-based training;

(4) proposals to—

(A) focus employee training on early, fair, and efficient resolution of taxpayer disputes for employees that interface with taxpayers and their managers; and

(B) ensure consistency of skill development and employee evaluation throughout the Internal Revenue Service; and

(5) a thorough assessment of the funding necessary to implement such strategy.

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Reform of Laws Governing Internal Revenue Service Employees

SEC. 3001. ELECTRONIC RECORD RETENTION.

(a) RETENTION OF RECORDS.—

(1) IN GENERAL.—Email records of the Internal Revenue Service shall be retained in an appropriate electronic system that supports records management and litigation requirements, including the capability to identify, retrieve, and retain the records, in accordance with the requirements described in paragraph (2).

(2) REQUIREMENTS.—

(A) PRIOR TO CERTIFICATION.—The Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall retain all email records generated on or after the date of the enactment of this Act and before the date on which the Treasury Inspector General for Tax Administration makes the certification under subsection (c)(1).

(B) PRINCIPAL OFFICERS AND SPECIFIED EMPLOYEES.—Not later than December 31, 2019, the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall maintain email records of all principal officers and specified employees of the Internal Revenue Service for a period of not less than 15 years beginning on the date such record was generated.

(b) TRANSMISSION OF RECORDS TO THE NATIONAL ARCHIVES.—Not later than 15 years after the date on which an email record of a principal officer or specified employee of the Internal Revenue Service is generated, the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall transfer such email record to the Archivist of the United States.

(c) COMPLIANCE.—

(1) CERTIFICATION.—On the date that the Treasury Inspector General for Tax Administration determines that the Internal Revenue Service has a program in place that complies with the requirements of subsections (a)(2)(B) and (b), the Treasury Inspector General for Tax Administration shall certify to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that the Internal Revenue Service is in compliance with such requirements.

(2) REPORTS.—

(A) INTERIM REPORT.—Not later than December 31, 2019, the Treasury Inspector General for Tax Administration shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the steps being taken by the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service to comply with the requirements of subsections (a)(2)(B) and (b).

(B) FINAL REPORT.—Not later than April 1, 2020, the Treasury Inspector General for Tax Administration shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate describing whether the Internal Revenue Service is in compliance with the requirements of subsections (a)(2)(B) and (b).

(d) DEFINITIONS.—For purposes of this section—

(1) PRINCIPAL OFFICER.—The term ''principal officer'' means, with respect to the Internal Revenue Service—

(A) any employee whose position is listed under the Internal Revenue Service in the most recent version of the United States Government Manual published by the Office of the Federal Register;

(B) any employee who is a senior staff member reporting directly to the Commissioner of Internal Revenue or the Chief Counsel for the Internal Revenue Service; and

(C) any associate counsel, deputy counsel, or division head in the Office of the Chief Counsel for the Internal Revenue Service.

(2) SPECIFIED EMPLOYEE.—The term ''specified employee'' means, with respect to the Internal Revenue Service, any employee who—

(A) holds a Senior Executive Service position (as defined in section 3132 of title 5, United States Code) in the Internal Revenue Service or the Office of Chief Counsel for the Internal Revenue Service; and

(B) is not a principal officer of the Internal Revenue Service.

SEC. 3002. PROHIBITION ON REHIRING ANY EMPLOYEE OF THE INTERNAL REVENUE SERVICE WHO WAS INVOLUNTARILY SEPARATED FROM SERVICE FOR MISCONDUCT.

(a) IN GENERAL.—Section 7804 is amended by adding at the end the following new subsection:

''(d) PROHIBITION ON REHIRING EMPLOYEES INVOLUNTARILY SEPARATED.—The Commissioner may not hire any individual previously employed by the Commissioner who was removed for misconduct under this subchapter or chapter 43 or chapter 75 of title 5, United States Code, or whose employment was terminated under section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 7804 note).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the hiring of employees after the date of the enactment of this Act.

SEC. 3003. NOTIFICATION OF UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Subsection (e) of section 7431 is amended by adding at the end the following new sentences: ''The Secretary shall also notify such taxpayer if the Internal Revenue Service or a Federal or State agency (upon notice to the Secretary by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee's unauthorized inspection or disclosure of the taxpayer's return or return information. The notice described in this subsection shall include the date of the unauthorized inspection or disclosure and the rights of the taxpayer under such administrative determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to determinations proposed after the date which is 180 days after the date of the enactment of this Act.

Subtitle B—Provisions Relating to Exempt Organizations

SEC. 3101. MANDATORY E-FILING BY EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Section 6033 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) MANDATORY ELECTRONIC FILING.—Any organization required to file a return under this section shall file such return in electronic form.''.

(b) CONFORMING AMENDMENT.—Paragraph (7) of section 527(j) is amended by striking ''if the organization has'' and all that follows through ''such calendar year''.

(c) INSPECTION OF ELECTRONICALLY FILED ANNUAL RETURNS.—Subsection (b) of section 6104 is amended by adding at the end the following: ''Any annual return required to be filed electronically under section 6033(n) shall be made available by the Secretary to the public as soon as practicable in a machine readable format.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) TRANSITIONAL RELIEF.—

(A) SMALL ORGANIZATIONS.—

(i) IN GENERAL.—In the case of any small organizations, or any other organizations for which the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this paragraph as the ''Secretary'') determines the application of the amendments made by this section would cause undue burden without a delay, the Secretary may delay the application of such amendments, but such delay shall not apply to any taxable

year beginning on or after the date 2 years after of the enactment of this Act.

(ii) SMALL ORGANIZATION.—For purposes of clause (i), the term ''small organization'' means any organization—

(I) the gross receipts of which for the taxable year are less than $200,000; and

(II) the aggregate gross assets of which at the end of the taxable year are less than $500,000.

(B) ORGANIZATIONS FILING FORM 990–T.—In the case of any organization described in section 511(a)(2) of the Internal Revenue Code of 1986 which is subject to the tax imposed by section 511(a)(1) of such Code on its unrelated business taxable income, or any organization required to file a return under section 6033 of such Code and include information under subsection (e) thereof, the Secretary may delay the application of the amendments made by this section, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

SEC. 3102. NOTICE REQUIRED BEFORE REVOCATION OF TAX EXEMPT STATUS FOR FAILURE TO FILE RETURN.

(a) IN GENERAL.—Section 6033(j)(1) is amended by striking ''If an organization'' and inserting the following:

''(A) NOTICE.—

''(i) IN GENERAL.—After an organization described in subsection (a)(1) or (i) fails to file the annual return or notice required under either subsection for 2 consecutive years, the Secretary shall notify the organization—

''(I) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

''(II) about the revocation that will occur under subparagraph (B) if the organization fails to file such a return or notice by the due date for the next such return or notice required to be filed.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsection (a)(1) and (i).

''(B) REVOCATION.—If an organization''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to failures to file returns or notices for 2 consecutive years if the return or notice for the second year is required to be filed after December 31, 2018.

Subtitle C—Tax Court

SEC. 3301. DISQUALIFICATION OF JUDGE OR MAGISTRATE JUDGE OF THE TAX COURT.

(a) IN GENERAL.—Part II of subchapter C of chapter 76 is amended by adding at the end the following new section:

''SEC. 7467. DISQUALIFICATION OF JUDGE OR MAGISTRATE JUDGE OF THE TAX COURT.

''Section 455 of title 28, United States Code, shall apply to judges and magistrate judges of the Tax Court and to proceedings of the Tax Court.''.

(b) CLERICAL AMENDMENT.—The table of sections for such part is amended by adding at the end the following new item:

''Sec. 7467. Disqualification of judge or magistrate judge of the Tax Court.''.

SEC. 3302. OPINIONS AND JUDGMENTS.

(a) IN GENERAL.—Section 7459 is amended by striking all that precedes subsection (c) and inserting the following:

''SEC. 7459. OPINIONS AND JUDGMENTS.

''(a) REQUIREMENT.—An opinion upon any proceeding instituted before the Tax Court and a judgment thereon shall be made as quickly as practicable. The judgment shall be made by a judge in accordance with the opinion of the Tax Court, and such judgment so made shall, when entered, be the judgment of the Tax Court.

''(b) INCLUSION OF FINDINGS OF FACT IN OPINION.—It shall be the duty of the Tax Court and of each division to include in its opinion or memorandum opinion upon any proceeding, its findings of fact. The Tax Court shall issue in writing all of its findings of fact, opinions, and memorandum opinions. Subject to such conditions as the Tax Court may by rule provide, the requirements of this subsection and of section 7460 are met if findings of fact or opinion are stated orally and recorded in the transcript of the proceedings.''.

(b) REFERENCES.—Section 7459 is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) REFERENCES.—Any reference in this title to a decision or report of the Tax Court shall be treated as a reference to a judgment or opinion of the Tax Court, respectively.''.

(c) CONFORMING AMENDMENT.—The item relating to section 7459 in the table of sections for part II of subchapter C of chapter 76 is amended to read as follows:

''Sec. 7459. Opinions and judgments.''.

(d) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, decisions, reports, rules, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions, in connection with the Tax Court, which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the Tax Court.

SEC. 3303. TITLE OF SPECIAL TRIAL JUDGE CHANGED TO MAGISTRATE JUDGE OF THE TAX COURT.

(a) IN GENERAL.—Section 7443A is amended—

(1) by striking ''special trial judges'' in subsections (a) and (e) and inserting ''magistrate judges of the Tax Court'';

(2) by striking ''special trial judges of the court'' in subsection (b) and inserting ''magistrate judges of the Tax Court''; and

(3) by striking ''special trial judge'' in subsections (c) and (d) and inserting ''magistrate judge of the Tax Court''.

(b) CONFORMING AMENDMENTS.—

(1) The heading of section 7443A is amended by striking ''**SPECIAL TRIAL JUDGES**'' and inserting ''**MAGISTRATE JUDGES OF THE TAX COURT**''.

(2) The heading of section 7443A(b) is amended by striking ''SPECIAL TRIAL JUDGES'' and inserting ''MAGISTRATE JUDGES OF THE TAX COURT''.

(3) The item relating to section 7443A in the table of sections for part I of subchapter C of chapter 76 is amended to read as follows:

''Sec. 7443A. Magistrate judges of the Tax Court.''.

(4) The heading of section 7448 is amended by striking ''**SPECIAL TRIAL JUDGES**'' and inserting ''**MAGISTRATE JUDGES OF THE TAX COURT**''.

(5) Section 7448 is amended—

(A) by striking ''special trial judge's'' each place it appears in subsections (a)(6), (c)(1), (d), and (m)(1) and inserting ''magistrate judge of the Tax Court's''; and

(B) by striking ''special trial judge'' each place it appears other than in subsection (n) and inserting ''magistrate judge of the Tax Court''.

(6) Section 7448(n) is amended—

(A) by striking ''special trial judge which are allowable'' and inserting ''magistrate judge of the Tax Court which are allowable''; and

(B) by striking ''special trial judge of the Tax Court'' both places it appears and inserting ''magistrate judge of the Tax Court''.

(7) The heading of section 7448(b)(2) is amended by striking ''SPECIAL TRIAL JUDGES'' and inserting ''MAGISTRATE JUDGES OF THE TAX COURT''.

(8) The item relating to section 7448 in the table of sections for part I of subchapter C of chapter 76 is amended to read as follows:

''Sec. 7448. Annuities to surviving spouses and dependent children of judges and magistrate judges of the Tax Court.''.

(9) Section 7456(a) is amended—

(A) by striking ''special trial judge'' each place it appears and inserting ''magistrate judge''; and

(B) by striking ''(or by the clerk'' and inserting ''of the Tax Court (or by the clerk''.

(10) Section 7466(a) is amended by striking ''special trial judge'' and inserting ''magistrate judge''.

(11) Section 7470A is amended by striking ''special trial judges'' both places it appears in subsections (a) and (b) and inserting ''magistrate judges''.

(12) Section 7471(a)(2)(A) is amended by striking ''special trial judges'' and inserting ''magistrate judges''.

(13) Section 7471(c) is amended—

(A) by striking ''SPECIAL TRIAL JUDGES'' in the heading and inserting ''MAGISTRATE JUDGES OF THE TAX COURT''; and

(B) by striking ''special trial judges'' and inserting ''magistrate judges''.

SEC. 3304. REPEAL OF DEADWOOD RELATED TO BOARD OF TAX APPEALS.

(a) Section 7459, as amended by this Act, is amended by striking subsection (f) and by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(b) Section 7447(a)(3) is amended to read as follows:

''(3) In any determination of length of service as judge or as a judge of the Tax Court of the United States there shall be included all periods (whether or not consecutive) during which an individual served as judge.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. RICE) and the gentleman from Georgia (Mr. LEWIS) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

GENERAL LEAVE

Mr. RICE of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7227, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bipartisan, commonsense measure that I am proud to have worked on alongside Mr. LEWIS and many members of the Ways and Means Committee for the past 2 years.

Mr. Speaker, I urge all Members to support this legislation, and I yield back the balance of my time.

Mr. LEWIS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 7227. I am proud of the product and of the process.

I thank the gentleman from South Carolina for all of his help and all of his great work.

Let me also thank Chairman BRADY for his tireless work and commitment to this bill. From start to finish, he worked with us to advance good, responsible policy. This afternoon, I again thank him, the gentlewoman from Kansas (Ms. JENKINS), and the gentleman from Florida (Mr. BUCHANAN) for serving as partners in leading this effort.

I also thank our staff again for their good and great work. They refused to give up; they refused to give in. They worked together on behalf of the American taxpayers and of the American people, and they did a great and superb job.

For over a year, the Ways and Means Oversight Subcommittee hosted hearings and roundtables. We listened and asked questions. We asked Democratic and Republican Members to share their concerns and ideas. We reached out to taxpayers and advocates. We negotiated. We took our time, and, Mr. Speaker, I believe that we did it and we did it right.

Together, we developed a bill that improves the independent appeals process and taxpayer services. We worked together to ensure that taxpayers—especially those who are low-income, disabled, and senior citizens—receive fair, quality, and timely help and support.

For these reasons, I am especially proud of our work to prevent private debt collectors from excessively targeting low-income taxpayers. As a result, our bill will ease the burden on those who are already struggling to keep a roof over their head and food on the table.

From the beginning, we committed to bipartisanship, and we refused to abandon our course.

I believe that this experience took our subcommittee and our institution back to our roots. Mr. Speaker, at every crossroad, we remembered the lessons from the past and chose to put the taxpayer first.

The process was transparent and inclusive, and the product is strong and timely.

For these reasons, Mr. Speaker, I urge all of my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. RICE) that the House suspend the rules and pass the bill, H.R. 7227, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

VEHICULAR TERRORISM PREVENTION ACT OF 2018

Mr. ESTES of Kansas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 4227) an act to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

(1)On page 2, line 16, insert *''and the Committee on Commerce, Science, and Transportation''* after ''Affairs''.

(2)On page 3, strike lines 17 through 20 and insert the following:

(2) VEHICULAR TERRORISM.—The term ''vehicular terrorism'' means an action that utilizes automotive transportation to commit terrorism (as defined in section 2(18) of the Homeland Security Act of 2002 (6 U.S.C. 101(18))).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. ESTES) and the gentleman from California (Mr. CORREA) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas.

GENERAL LEAVE

Mr. ESTES of Kansas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ESTES of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4227, the Vehicular Terrorism Prevention Act, introduced by the gentleman from Ohio, Representative LATTA.

H.R. 4227 requires the Secretary of Homeland Security to examine the threat of vehicular terrorism and develop a strategy to improve DHS support for the efforts of emergency responders and the private sector to prevent, mitigate, and respond to such a threat.

Terror groups, including ISIS and al-Qaida, have urged supporters to carry out attacks in their home countries using any means necessary, including vehicular ramming. Terrorists and inspired homegrown extremists have heeded this direction and have carried out vehicular-based attacks in the past several years, including in France, England, Spain, Ohio, and New York City.

DHS has existing resources and programs that can be better utilized to prepare frontline personnel in local communities to address the threat of vehicular terrorism. H.R. 4227 requires the Secretary to develop a plan on how to improve and increase these capabilities.

This bill passed the House on March 22 of this year. The Senate made minor changes to this measure and passed it with unanimous consent on December 18.

I thank Representative LATTA for his work on this important measure, and I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CORREA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to urge the House to concur in the Senate amendments to H.R. 4227, the Vehicular Terrorism Prevention Act of 2017.

Mr. Speaker, I urge adoption of the Senate amendments to H.R. 4227. They are technical in nature and would enhance H.R. 4227, a bill to require the Department of Homeland Security to report to Congress on what it is doing to help emergency responders and private sector partners counter the threat of vehicular terrorism. It would also explain how DHS is using existing DHS programs like grants, information sharing, training, and research to help in this effort.

I urge my colleagues to support this measure, and I reserve the balance of my time.

□ 1230

Mr. ESTES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. LATTA), the sponsor of the bill.

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to support the Senate amendment to my bill, H.R. 4227, the Vehicular Terrorism Prevention Act. It previously passed the House by a vote of 417–2 and was amended by the Senate to make simple technical corrections.

Over the past several years, we have seen an increased frequency of terrorists around the world using vehicles, oftentimes rental vans or trucks, to commit violence. The United States has not been immune to these attacks as we saw in New York City at the end of last year when a terrorist killed 8 people and injured 11.

This bipartisan legislation will ensure that the Department of Homeland Security is doing their due diligence to guard against attacks like this in the future. It would require the DHS Secretary to assess the activities the Department is undertaking to combat the threat of vehicular terrorism and submit a strategy to Congress on its findings and recommendations.

Mr. Speaker, I want to thank Chairman MCCAUL, Ranking Member THOMPSON, Senator BILL CASSIDY, and the staffs of both the House and Senate committees for their work in advancing this legislation. I urge my colleagues to join me in concurring with the Senate amendment to H.R. 4227.

Again, I thank the gentleman for yielding to me.

Mr. CORREA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as threats to our homeland continue to evolve and as violent extremists seek to exploit soft targets, the risks posed to our innocent bystanders from vehicular terrorism continues to grow. A vote today to concur with the Senate amendment to H.R. 4227 is a vote to bolster preparedness and response to these emerging threats.

Mr. Speaker, I yield back the balance of my time.

Mr. ESTES of Kansas. Mr. Speaker, I once again urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. ESTES) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 4227.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STEPHEN MICHAEL GLEASON CONGRESSIONAL GOLD MEDAL ACT

Mr. HUIZENGA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2652) to award a Congressional Gold Medal to Stephen Michael Gleason.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stephen Michael Gleason Congressional Gold Medal Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Stephen ''Steve'' Gleason was born March 19, 1977, in Spokane, Washington to Mike and Gail Gleason.

(2) Steve attended Gonzaga Preparatory School for high school where he excelled as both a football and baseball player.

(3) In 1995, Steve enrolled at Washington State University where he was a 2-sport athlete for the baseball and football teams and helped the Cougars football team advance to the 1997 Rose Bowl.

(4) In 2000, Steve signed a professional football contract with the Indianapolis Colts of the National Football League as an undrafted free agent but later joined the New Orleans Saints in November of that same season.

(5) Steve would go on to play 7 more seasons as a member of the New Orleans Saints.

(6) Steve will always be remembered for his blocked punt on September 25, 2006, against the Atlanta Falcons, the night the Louisiana Superdome reopened for the first time after Hurricane Katrina in a game the Saints would win 23 to 3.

(7) In January, 2011 Steve was diagnosed with amyotrophic lateral sclerosis or ALS, considered a terminal neuro-muscular disease.

(8) Following his diagnosis, Steve, with the loving support of his wife, Michel, began a mission to show that patients can not only live but thrive after a diagnosis of ALS and established The Gleason Initiative Foundation also known simply as ''Team Gleason''.

(9) At the time of his diagnosis, however, Steve said there will be ''No White Flags'', which has become the mantra of Team Gleason.

(10) The Gleason Initiative Foundation helps provide individuals with neuromuscular diseases or injuries with leading edge technology, equipment and services, raises global awareness about ALS to find solutions and an end to the disease, and has helped hundreds of people with ALS experience life adventures they never thought possible after their diagnosis.

(11) Steve's story and mission have been told by the NFL Network, ESPN, HBO, ABC, CBS, CNN, and many local media outlets, as well as in a 2016 documentary titled ''Gleason'', which was heralded at the Sundance Film Festival and premiered across the country with Variety calling the production ''an emotional powerhouse''. The documentary won several awards, including the 2016 Washington, D.C. Area Film Critics Association Award for Best Documentary.

(12) Steve was named one of two Sports Illustrated's Inspirations of the Year in 2014, has been a keynote speaker for Microsoft and at two United Nations sponsored Social Innovation Summits, and received the 2015 George S. Halas Courage Award, given to a NFL player, coach or staff member who overcomes the most adversity to succeed.

(13) Steve helped advocate for the Steve Gleason Act of 2015 (Public Law 114–40; 129 Stat. 441), and the Steve Gleason Enduring Voices Act of 2017, H.R. 2465, 115th Congress (2017), which permanently ensures people living with diseases such ALS have access to speech generating devices regardless of their setting, whether at home or a healthcare institution.

(14) In 2014, Steve and Team Gleason hosted a global summit to bring together researchers, patients, caregivers, and all ALS stakeholders to create a plan to ultimately end ALS. That summit resulted in the single largest coordinated and collaborative ALS research project in the world, Answer ALS, which brings together nearly two dozen research institutions, 1,000 patients and 20,000,000,000,000 data points that are important to the project and that will define the unknown pathways that will lead to treatments or finally a cure.

(15) In 2015, Steve and Microsoft worked together to create a method for people who are completely paralyzed to navigate their power wheelchairs with their eyes. Today, Steve, Microsoft and all wheelchair manufacturers are working collaboratively to make it widely available to all who need this technology. In addition, Microsoft has also made eye tracking technology part of all Windows 10 products across the globe.

(16) In 2011, 10 months after his diagnosis, Steve and Michel made their most significant accomplishment, becoming parents to their son Rivers.

(17) Steve and Michel Gleason continue to fight to find a solution for ALS so they can share many years together and as parents to Rivers.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of the Congress, of a single gold medal of appropriate design to Stephen Michael Gleason.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 5. STATUS OF MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HUIZENGA) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. HUIZENGA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUIZENGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this important bill has wide bipartisan support, and I urge all Members to support this legislation.

Mr. Gleason who was a former player with the New Orleans Saints, has done significant work in the area of ALS—in ALS education and advocacy and its damaging effects.

I, like many people in this Chamber and many people across the country, have been touched by this personally, with friends or family members, and we know the ravages that occur with this horrible disease, ALS, also known as Lou Gehrig's disease.

Mr. Speaker, I urge all of my colleagues to support this important legislation, the Stephen Michael Gleason Congressional Gold Medal Act, and I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2652 and its House companion sponsored by my friend, Representative CEDRIC RICHMOND, which awards a Congressional Gold Medal to Stephen Michael Gleason, whose tireless work for people living with ALS should be honored.

Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Louisiana (Mr. RICHMOND), the sponsor of the House version of this bill.

Mr. RICHMOND. Mr. Speaker, let me thank my colleague, Mr. CLAY from St. Louis, and my colleague from Michigan. I understand the difficulty in saying very loud the ''New Orleans

Saints,'' but I just want to also thank Senator BILL CASSIDY, and Senator PATTY MURRAY for authoring this bill and working so hard to get it across the finish line. I would also like to thank Representative CATHY MCMORRIS RODGERS and Representative STEVE SCALISE for working with me in the House.

The Congressional Gold Medal is a special award, and today we are coming together to support giving it to a special person. This is an award for people who dedicate themselves to causes bigger than themselves and for those who work tirelessly to help the lives of others. Both of those describe the son of Who Dat Nation, Steve Gleason.

Steve, after being diagnosed with ALS, came together with his team to form Team Gleason, and he declared then that there would be no white flags in dealing with ALS. Steve is a selfless individual who has used his life to raise awareness of ALS and who has been instrumental in developing technology in order to combat this disease.

He has done so much that has tangibly improved people's lives now and will continue to do so for years to come. That is why I am proud to introduce this bill in the House and to be standing here today concurring in the Senate bill to honor Steve's contributions to society.

Mr. Speaker, I would urge my colleagues to support giving the Congressional Gold Medal to our son of Who Dat Nation, Steve Gleason.

Mr. HUIZENGA. Mr. Speaker, I am prepared to reserve, but I would like to note to my friend from Louisiana, as a Lions fan, it is much easier to be supportive of a Saints player than if this guy had actually been a Green Bay Packer.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

I have no football team in St. Louis, but we do have the Kansas City Chiefs, who are doing pretty well.

Mr. Speaker, I have no further speakers. I urge Members to vote for this legislation, and I yield back the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I will note to my colleagues that as a Detroit Lions fan, I, too, don't have a football team, but I am proud to stand on the floor today and note that this is an important time to address these things. We all, as a nation, are thankful for the work of Mr. Gleason in this important issue, and I do urge support from all of my colleagues.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, S. 2652.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RBIC ADVISERS RELIEF ACT OF 2018

Mr. HUIZENGA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2765) to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''RBIC Advisers Relief Act of 2018''.

SEC. 2. ADVISERS OF RBICS.

Section 203 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(b)) is amended—

(1) in subsection (b)—

(A) in paragraph (6)(B)—

(i) by adjusting the margins accordingly; and

(ii) by striking the period at the end and inserting a semicolon;

(B) in paragraph (7)(C), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(8) any investment adviser, other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a–53), who solely advises—

''(A) rural business investment companies (as defined in section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc)); or

''(B) companies that have submitted to the Secretary of Agriculture an application in accordance with section 384D(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–3(b)) that—

''(i) have received from the Secretary of Agriculture a letter of conditions, which has not been revoked; or

''(ii) are affiliated with 1 or more rural business investment companies described in subparagraph (A).'';

(2) in subsection (l), by adding at the end the following:

''(3) ADVISERS OF RBICS.—For purposes of this subsection, a venture capital fund includes an entity described in subparagraph (A) or (B) of subsection (b)(8) (other than an entity that has elected to be regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a–53)).''; and

(3) in subsection (m), by adding at the end the following:

''(4) ADVISERS OF RBICS.—For purposes of this subsection, the assets under management of a private fund that is an entity described in subparagraph (A) or (B) of subsection (b)(8) (other than an entity that has elected to be regulated or is regulated as a business development company pursuant to section 54 of the Investment Company Act of 1940 (15 U.S.C. 80a–53)) shall be excluded from the limit set forth in paragraph (1).''.

SEC. 3. RELATIONSHIP TO STATE LAW.

Section 203A(b)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a(b)(1)) is amended—

(1) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(2) by adding at the end the following:

''(D) that is not registered under section 203 because that person is exempt from registration as provided in subsection (b)(8) of such section, or is a supervised person of such person.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HUIZENGA) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. HUIZENGA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUIZENGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this critical bill has broad and extensive bipartisan support, and I urge all Members to support this legislation.

A few years ago, we had gone in and done a technical fix regarding small businesses, and this Rural Business Investment Company, or the RBIC, deals with language that will allow the advisers to go in and deal with rural businesses—not just small business, but these rural businesses. We think that this is an important step to helping rural America continue the economic recovery that they have seen over the last year or two.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that the House is taking up S. 2765, a bill that shows once again that Democrats support investment, job creation, and the development of wealth in rural areas.

The bill is simple. It extends the exemption from registration in the Dodd-Frank Act to certain advisers to small private funds known as Rural Business Investment Companies, which are regulated by the USDA and are required to provide significant financing to rural area small businesses.

Mr. Speaker, I support the bill, and I yield back the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I just want to note that we are having our second Senate bill from Louisiana, so we are covering our colleagues from down in Louisiana.

I just want to encourage my colleagues to support this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, S. 2765.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 1733. An act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

H.R. 4819. An act to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 5787. An act to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes.

H.R. 7327. An act to require the Secretary of Homeland Secretary to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 767. An act to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

H.R. 5509. An act to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 79. An act to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector.

S. 512. An act to modernize the regulation of nuclear energy.

S. 1023. An act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

S. 3611. An act to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to facilitate the disclosure of tax return information to carry out the Higher Education Act of 1965, and for other purposes.

S. 3800. An act to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''Orrin G. Hatch United States Courthouse''.

The message also announced that pursuant to the provisions of Public Law 106–398, as amended by Public Law 108–7, the Chair, on behalf of the Democratic Leader, and in consultation with the Ranking Members of the Senate Committee on Armed Services and the Senate Committee on Finance, announces the appointment of the following individual to serve as a member of the United States-China Economic Security Review Commission:

Thea M. Lee of the District of Columbia for a term expiring December 31, 2020.

□ 1245

INNOVATIONS IN MENTORING, TRAINING, AND APPRENTICESHIPS ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Innovations in Mentoring, Training, and Apprenticeships Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) To remain competitive in the global economy, foster greater innovation, and provide a foundation for shared prosperity, the United States needs a workforce with the right mix of skills to meet the diverse needs of the economy.

(2) Evidence indicates that the returns on investments in technical skills in the labor market are strong when students successfully complete their education and gain credentials sought by employers.

(3) The responsibility for developing and sustaining a skilled technical workforce is fragmented across many groups, including educators, students, workers, employers, Federal, State, and local governments, civic associations, and other stakeholders. Such groups need to be able to coordinate and cooperate successfully with each other.

(4) Coordination among students, community colleges, secondary and post-secondary institutions, and employers would improve educational outcomes.

(5) Promising experiments currently underway may guide innovation and reform, but scalability of some of those experiments has not yet been tested.

(6) Evidence suggests that integration of academic education, technical skills development, and hands-on work experience improves outcomes and return on investment for students in secondary and post-secondary education and for skilled technical workers in different career stages.

(7) Outcomes show that mentoring can increase STEM student engagement and the rate of completion of STEM post-secondary degrees.

SEC. 3. NATIONAL SCIENCE FOUNDATION STEM INNOVATION AND APPRENTICESHIP GRANTS.

Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i) is amended—

(1) by redesignating subsections (d) through (g) as subsections (g) through (j), respectively;

(2) by inserting after subsection (c) the following:

''(d) GRANTS FOR ASSOCIATE DEGREE PROGRAMS IN STEM FIELDS.—

''(1) IN-DEMAND WORKFORCE GRANTS.—The Director shall award grants to junior or community colleges to develop or improve associate degree or certificate programs in STEM fields, with respect to the region in which the respective college is located, and an in-demand industry sector or occupation.

''(2) APPLICATIONS.—In considering applications for grants under paragraph (1), the Director shall prioritize—

''(A) applications that consist of a partnership between the applying junior or community college and individual employers or an employer consortia, or industry or sector partnerships, and may include a university or other organization with demonstrated expertise in academic program development;

''(B) applications that demonstrate current and future workforce demand in occupations directly related to the proposed associate degree or certificate program;

''(C) applications that include commitments by the partnering employers or employer consortia, or industry or sector partnerships, to offer apprenticeships, internships, or other applied learning opportunities to students enrolled in the proposed associate degree or certificate program;

''(D) applications that include outreach plans and goals for recruiting and enrolling women and other underrepresented populations in STEM fields in the proposed associate degree or certificate program; and

''(E) applications that describe how the applying junior or community college will support the collection of information and data for purposes of evaluation of the proposed associate degree or certificate program.

''(e) GRANTS FOR STEM DEGREE APPLIED LEARNING OPPORTUNITIES.—

''(1) IN GENERAL.—The Director shall award grants to institutions of higher education partnering with private sector employers or private sector employer consortia, or industry or sector partnerships, that commit to offering apprenticeships, internships, research opportunities, or applied learning experiences to enrolled students in identified STEM baccalaureate degree programs.

''(2) PURPOSES.—Awards under this subsection may be used—

''(A) to develop curricula and programs for apprenticeship, internships, research opportunities, or applied learning experiences; or

''(B) to provide matching funds to incentivize partnership and participation by private sector employers and industry.

''(3) APPLICATIONS.—In considering applications for grants under paragraph (1), the Director shall prioritize—

''(A) applicants that consist of a partnership between—

''(i) the applying institution of higher education; and

''(ii) individual employers or an employer consortia, or industry or sector partnerships;

''(B) applications that demonstrate current and future workforce demand in occupations directly related to the identified STEM fields;

''(C) applications that include outreach plans and goals for recruiting and enrolling women and other underrepresented populations in STEM fields; and

''(D) applications that describe how the institution of higher education will support the collection and information of data for purposes of the evaluation of identified STEM degree programs.

''(f) GRANTS FOR COMPUTER-BASED AND ONLINE STEM EDUCATION COURSES.—

''(1) IN GENERAL.—The Director of the National Science Foundation shall award competitive grants to institutions of higher education or nonprofit organizations to conduct research on student outcomes and determine best practices for STEM education and technical skills education through distance learning or in a simulated work environment.

''(2) RESEARCH AREAS.—The research areas eligible for funding under this subsection may include—

''(A) post-secondary courses for technical skills development for STEM occupations;

''(B) improving high-school level career and technical education in STEM subjects;

''(C) encouraging and sustaining interest and achievement levels in STEM subjects among women and other populations historically underrepresented in STEM studies and careers; and

''(D) combining computer-based and online STEM education and skills development with traditional mentoring and other mentoring arrangements, apprenticeships, internships, and other applied learning opportunities.'';

(3) in subsection (a)(3)(A), by striking the comma and inserting a semicolon;

(4) in subsection (c)(1)(B)(iv), by striking ''subsection (f)(3)'' and inserting ''subsection (i)(3)'';

(5) in subsection (h), as redesignated—

(A) in the heading, by striking ''LIMITATION ON FUNDING'' and inserting ''FUNDING'';

(B) by inserting ''(3) LIMITATION ON FUNDING.—'' before ''To qualify'' and indenting appropriately; and

(C) by inserting before paragraph (3), as redesignated, the following:

''(1) FUNDING.—The Director shall allocate out of amounts made available for the Education and Human Resources Directorate—

''(A) up to $5,000,000 to carry out the activities under subsection (d) for each of fiscal years 2019 through 2022, subject to the availability of appropriations;

''(B) up to $2,500,000 to carry out the activities under subsection (e) for each of fiscal years 2019 through 2022, subject to the availability of appropriations; and

''(C) up to $2,500,000 to carry out the activities under subsection (f) for each of fiscal years 2019 through 2022, subject to the availability of appropriations.

''(2) LIMITATION ON FUNDING.—Amounts made available to carry out subsections (d), (e), and (f) shall be derived from amounts appropriated or otherwise made available to the National Science Foundation.''; and

(6) in subsection (j), as redesignated—

(A) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(B) by redesignating paragraph (5) as paragraph (7); and

(C) by inserting after paragraph (4) the following:

''(5) the term 'in-demand industry sector or occupation' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

''(6) the term 'junior or community college' has the meaning given the term in section 312 of the Higher Education Act of 1965 (20 U.S.C. 1058);''; and

(D) by adding at the end the following:

''(8) the term 'region' means a labor market area, as that term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

''(9) the terms 'mathematics, science, engineering, or technology' or 'STEM' mean science, technology, engineering, and mathematics, including computer science.''.

SEC. 4. RESEARCH ON EFFICIENCY OF SKILLED TECHNICAL LABOR MARKETS.

(a) EFFICIENCY OF SKILLED TECHNICAL LABOR MARKETS.—The Director of the National Science Foundation, working through the Directorate of Social, Behavioral & Economic Sciences, in coordination with the Secretary of Labor, shall support research on labor market analysis innovations, data and information sciences, electronic information tools and methodologies, and metrics.

(b) SKILLED TECHNICAL WORKFORCE.—

(1) REVIEW.—The National Center for Science and Engineering Statistics of the National Science Foundation shall consult and coordinate with other relevant Federal statistical agencies, including the Institute of Education Sciences of the Department of Education, and the Committee on Science, Technology, Engineering, and Mathematics Education of the National Science and Technology Council established under section 101 of the America COMPETES Act of 2010 (Public Law 111–358), to explore the feasibility of expanding its surveys to include the collection of objective data on the skilled technical workforce.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the National Science Foundation shall submit to Congress a report on the progress made in expanding the National Center for Science and Engineering Statistics surveys to include the skilled technical workforce, including a plan for multi-agency collaboration to improve data collection and reporting of data on the skilled technical workforce.

(3) DEFINITION OF SKILLED TECHNICAL WORKFORCE.—The term ''skilled technical workforce'' means workers with high school diplomas and two-year technical training or certifications who employ significant levels of STEM knowledge in their jobs.

SEC. 5. EVALUATION AND REPORT.

(a) EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Director of the National Science Foundation shall evaluate the grant programs established under subsections (d), (e), and (f) of section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i), as amended by this Act.

(2) REQUIREMENTS.—In conducting the evaluation under paragraph (1), the Director shall—

(A) use a common set of benchmarks and assessment tools to identify best practices and materials developed or demonstrated by the research conducted pursuant to such grants and programs under subsection (f) of that section;

(B) include an assessment of the effectiveness of the grant programs in expanding apprenticeships, internships, and other applied learning opportunities offered by employers in conjunction with junior or community colleges, or institutions of higher education, as applicable;

(C) assess the number of students who participated in the grant programs; and

(D) assess the percentage of students participating in the grant programs who successfully complete their education programs.

(b) REPORT ON EVALUATIONS.—Not later than 180 days after the date the evaluation under subsection (a) is complete, the Director of the National Science Foundation shall submit to Congress and the Secretary of Education, and make widely available to the public, a report on the results of the evaluation, including any recommendations for legislative action that could optimize the effectiveness of the grant programs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5509, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5509, the IMT Apprenticeships Act, was introduced by Majority Leader KEVIN MCCARTHY with my support and that of the ranking minority member of the Science, Space, and Technology Committee. It increases our STEM workforce and improves our national competitiveness.

The IMT Apprenticeships Act directs the National Science Foundation to fund initiatives that support innovative partnerships between academic institutions and local industries. These programs combine formal education with work experiences such as apprenticeships, pairing local employers with the STEM industry.

This bill also requires the NSF to conduct research on market analysis innovations and America's skilled technical workforce.

I would like to thank Leader MCCARTHY, Ranking Member EDDIE BERNICE JOHNSON, and Senate Commerce Chairman JOHN THUNE for their efforts on this bipartisan bill. The IMT Apprenticeships Act enhances America's STEM competitiveness and contributes to our future economic prosperity.

Mr. Speaker, I urge its support, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5509, the Innovations in Mentoring, Training, and Apprenticeships Act. I thank Majority Leader MCCARTHY for introducing this good legislation. In the interest of time, I will be placing extended remarks in the RECORD today.

I rise in support of H.R. 5509, the Innovations in Mentoring, Training, and Apprenticeships Act. I thank Majority Leader MCCARTHY for introducing this good legislation.

Building a STEM workforce that can meet the demands of our continually evolving economy is one of the most pressing challenges we face today. With a persistent and widening STEM skills gap, companies in all sectors continue to struggle to meet their needs for skilled technical workers. We must do more to ensure we are preparing a workforce that can keep pace with these demands, and not just in the near term.

Apprenticeships are a promising approach to bridging this gap. By investing in education and on-the-job training for their workers, employers can develop a workforce equipped with skills tailored to their specific needs. After completing an apprenticeship program, workers are on the path to a long-term, well-paying career.

H.R. 5509 directs the National Science Foundation to provide grants for developing or improving associate, certificate, and applied learning programs at community colleges and universities in partnership with employers. This bill also directs NSF to support research on the skilled technical labor market. These are important steps in the right direction.

In order to build a strong skilled technical workforce we must do more to expand access to these careers. Women make up nearly half of the workforce but only 6 percent of apprentices. I am glad this bill highlights the need for better outreach and I look forward to exploring what more can be done to ensure women and other underrepresented minorities have the

same opportunities to benefit from apprenticeships.

I urge my colleagues to support this bill.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to speak in support of H.R. 5509, the innovations in Mentoring, Training, and Apprenticeships Act. I comment Majority Leader MCCARTHY for his leadership in addressing this important issue with this legislation.

I am heartened to see so much attention being paid to the importance of developing a STEM workforce that is equipped to meet the demands of an increasingly automated and technology-driven economy. As Ranking Member of the Science Committee, I am committed to ensuring all students and individuals seeking a career change have access to the education and technical skills training they need to pursue high-paying, meaningful STEM careers.

It is high time we as a society recognize the value of apprenticeships as avenues to high quality careers. We have work to do to change the perception of skilled technical labor and it starts by recognizing that our STEM workforce includes so much more than just those with advanced STEM degrees.

A strong STEM workforce is built on the foundation of blue collar STEM workers—workers who use their extensive STEM knowledge and skills day in and day out without the need for a traditional four-year degree.

Blue collar STEM workers contribute to our nation's economic competitiveness in immeasurable ways. What good is it for a company to have the most innovative engineers and scientists if they don't have the laboratory managers, technicians, mechanics, IT workers, machinists, and welders to transform their ideas into reality? We will need more blue collar STEM workers if we are to keep pace with our global competitors.

One key barrier to developing a strong STEM workforce is the misalignment between the education and training provided at community colleges and universities and the knowledge and skills employers need. H.R. 5509 takes us in the right direction by directing federal support for developing and improving STEM associate degree and applied learning programs in partnership with local employers.

In the new congress I look forward to continuing to explore ways in which Congress can help strengthen the blue collar STEM workforce that is so vital to our success.

I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 5509.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NASA ENHANCED USE LEASING EXTENSION ACT OF 2018

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 7) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 7

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''NASA Enhanced Use Leasing Extension Act of 2018''.

SEC. 2. EXTENSION OF AUTHORITY TO ENTER INTO LEASES OF NON-EXCESS PROPERTY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 20145(g) of title 51, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on S. 7, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bipartisan NASA Enhanced Use Leasing Extension Act of 2018 facilitates commercial access to NASA infrastructure and facilities.

NASA's enhanced use lease authority gives NASA a crucial tool to partner with the private sector. For instance, NASA used EUL authority to lease SpaceX, the historic Apollo and Space Shuttle launch Pad 39A, promoting the transition from all-government space activities to commercial ventures.

I would like to thank Senator ROGER WICKER for his initiative on this bill which allows NASA to continue to implement this key authority while Congress works out a long-term solution to NASA's use of excess property.

Mr. Speaker, I urge its support, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 7, the NASA Enhanced Use Leasing Extension Act of 2018. In the interest of time, I will be placing extended remarks in the RECORD. Let me just say that this is a commonsense bill to extend an authority that helps NASA more efficiently manage its assets.

I rise in support of S.7, the ''NASA Enhanced Use Lease Extension Act of 2018''.

Enhanced use leasing, or ''EUL'' allows the National Aeronautics and Space Administration—NASA—to enter into agreements with state and local governments, academia, private sector entities, and other Federal government agencies to lease non-excess and underutilized properties at NASA.

NASA's EUL authority allows the agency to accept lease revenues, in turn helping NASA to reduce operating costs and make improvements to facility conditions. The EUL authority helps NASA manage the agency's real property, including the preservation of underutilized or unique, historic properties. According to NASA, in Fiscal Year 2017, five NASA Centers used enhanced use leasing resulting in a total of approximately $5.4 million in net revenue for the agency.

Congress granted NASA authority to demonstrate enhanced use leasing at two NASA Field Centers as part the Fiscal Year 2003 Consolidated Appropriations Resolution. The Fiscal Year 2009 Omnibus Appropriations Act expanded the authority to agency-wide use. Since then, the authority has been amended in 2008, and further amended in 2012 to allow NASA to accept in-kind considerations for leases for the purpose of developing renewable energy production facilities.

The NASA Transition Authorization Act of 2017—Public Law 115–10—extended NASA's EUL authority until December 31, 2018.

The bill we are considering today provides a clean one-year extension until December 31, 2019. This extension will allow NASA to continue existing EUL arrangements and to make progress on developing new arrangements that are currently underway.

I urge my colleagues to pass S.7, the ''NASA Enhanced Use Lease Extension Act of 2018.''

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I support passage of S. 7, the ''NASA Enhanced Use Lease Extension Act of 2018''.

NASA's enhanced use leasing or ''EUL'' authority provides the agency with tools to help manage its real property. NASA has, for example, used EUL to preserve underutilized property and make improvements to facility conditions.

EUL allows the National Aeronautics and Space Administration—NASA—to enter into agreements with state and local governments, academia, private sector entities, and other Federal government agencies to lease non-excess and underutilized properties at NASA.

According to NASA, in Fiscal Year 2017, NASA used enhanced use leasing resulting in a total of approximately $5.4 million in net revenue for the agency.

Congress first granted NASA authority to demonstrate enhanced use leasing in the early 2000s. Since that time, Congress has expanded and extended the agency's EUL authority.

The NASA Transition Authorization Act of 2017—Public Law 115–10—extended NASA's EUL authority until December 31, 2018.

The bill we are considering today provides a clean one-year extension until December 31,

2019. This extension will allow NASA to continue existing EUL arrangements and to make progress on developing new arrangements that are currently underway.

I urge my colleagues to vote yes and pass S. 7, the ''NASA Enhanced Use Lease Extension Act of 2018.''

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 7.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM REAUTHORIZATION ACT OF 2018

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2200) to reauthorize the National Integrated Drought Information System, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2200

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Integrated Drought Information System Reauthorization Act of 2018''.

SEC. 2. NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM PROGRAM.

(a) IN GENERAL.—Section 3 of the National Integrated Drought Information System Act of 2006 (15 U.S.C. 313d) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A), by striking ''in order to make usable, reliable, and timely forecasts of drought, including'' and inserting '', including precipitation, soil moisture, and evaporative demand, in order to make usable, reliable, and timely forecasts of drought and'';

(B) in paragraph (3), by inserting ''watershed,'' after ''regional,'';

(C) in paragraph (4)—

(i) by inserting '', through interagency agreements'' after ''integrate''; and

(ii) by inserting ''information'' after ''warning'';

(D) by amending paragraph (5) to read as follows:

''(5) utilize existing forecasting and assessment programs and partnerships, including forecast communication coordinators and cooperative institutes, and improvements in seasonal precipitation and temperature, subseasonal precipitation and temperature, and low flow water prediction; and''; and

(E) in paragraph (6), by inserting ''the prediction,'' after ''relating to'';

(2) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;

(3) by inserting after subsection (b) the following:

''(c) PARTNERSHIPS.—The National Integrated Drought Information System may—

''(1) engage with the private sector to improve drought monitoring, forecast, and communication if the Under Secretary determines the partnership is appropriate, cost-effective, and beneficial to the public and decisionmakers described in subsection (b)(2)(A);

''(2) facilitate the development of 1 or more academic cooperative partnerships to assist with National Integrated Drought Information System functions; and

''(3) utilize and support, as appropriate, monitoring by citizen scientists, including by developing best practices to facilitate maximum data integration.'';

(4) in subsection (d), as redesignated, by inserting ''and sustainment'' after ''development''; and

(5) by striking subsection (f), as redesignated, and inserting the following:

''(f) SOIL MOISTURE.—Not later than 1 year after the date of enactment of the National Integrated Drought Information System Reauthorization Act of 2018, the Under Secretary, acting through the National Integrated Drought Information System, shall develop a strategy for a national coordinated soil moisture monitoring network.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 4 of the National Integrated Drought Information System Act of 2006 (15 U.S.C. 313d note) is amended to read as follows:

''SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this Act—

''(1) $13,500,000 for fiscal year 2019;

''(2) $13,750,000 for fiscal year 2020;

''(3) $14,000,000 for fiscal year 2021;

''(4) $14,250,000 for fiscal year 2022; and

''(5) $14,500,000 for fiscal year 2023.''.

SEC. 3. REAUTHORIZATION OF TITLE II OF THE WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017.

(a) REAUTHORIZATION OF TITLE II OF THE WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017.—Section 1762 of the Food Security Act of 1985 (15 U.S.C. 8521) is amended—

(1) by amending subsection (j) to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the activities under this section—

''(1) $26,500,000 for fiscal year 2019;

''(2) $27,000,000 for fiscal year 2020;

''(3) $27,500,000 for fiscal year 2021;

''(4) $28,000,000 for fiscal year 2022; and

''(5) $28,500,000 for fiscal year 2023.''; and

(2) by adding at the end the following:

''(k) DERIVATION OF FUNDS.—Amounts made available to carry out this section shall be derived from amounts appropriated or otherwise made available to the National Weather Service.''.

(b) UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT.—Section 110 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8519) is amended to read as follows:

''SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to the Office of Oceanic and Atmospheric Research to carry out this title—

''(1) $136,516,000 for fiscal year 2019, of which—

''(A) $85,758,000 is authorized for weather laboratories and cooperative institutes;

''(B) $30,758,000 is authorized for weather and air chemistry research programs; and

''(C) $20,000,000 is authorized for the joint technology transfer initiative described in section 102(b)(4);

''(2) $148,154,000 for fiscal year 2020, of which—

''(A) $87,258,000 is authorized for weather laboratories and cooperative institutes;

''(B) $40,896,000 is authorized for weather and air chemistry research programs; and

''(C) $20,000,000 is authorized for the joint technology transfer initiative described in section 102(b)(4);

''(3) $150,154,000 for fiscal year 2021, of which—

''(A) $88,758,000 is authorized for weather laboratories and cooperative institutes;

''(B) $41,396,000 is authorized for weather and air chemistry research programs; and

''(C) $20,000,000 is authorized for the joint technology transfer initiative described in section 102(b)(4);

''(4) $152,154,000 for fiscal year 2022, of which—

''(A) $90,258,000 is authorized for weather laboratories and cooperative institutes;

''(B) $41,896,000 is authorized for weather and air chemistry research programs; and

''(C) $20,000,000 is authorized for the joint technology transfer initiative described in section 102(b)(4); and

''(5) $154,154,000 for fiscal year 2023, of which—

''(A) $91,758,000 is authorized for weather laboratories and cooperative institutes;

''(B) $42,396,000 is authorized for weather and air chemistry research programs; and

''(C) $20,000,000 is authorized for the joint technology transfer initiative described in section 102(b)(4).

''(b) LIMITATION.—No additional funds are authorized to carry out this title and the amendments made by this title.''.

SEC. 4. EARTH PREDICTION INNOVATION CENTER.

(a) WEATHER RESEARCH AND FORECASTING INNOVATION.—Section 102(b) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8512(b)) is amended by adding at the end the following:

''(4) Advancing weather modeling skill, reclaiming and maintaining international leadership in the area of numerical weather prediction, and improving the transition of research into operations by—

''(A) leveraging the weather enterprise to provide expertise on removing barriers to improving numerical weather prediction;

''(B) enabling scientists and engineers to effectively collaborate in areas important for improving operational global numerical weather prediction skill, including model development, data assimilation techniques, systems architecture integration, and computational efficiencies;

''(C) strengthening the National Oceanic and Atmospheric Administration's ability to undertake research projects in pursuit of substantial advancements in weather forecast skill;

''(D) utilizing and leverage existing resources across the National Oceanic and Atmospheric Administration enterprise; and

''(E) creating a community global weather research modeling system that—

''(i) is accessible by the public;

''(ii) meets basic end-user requirements for running on public computers and networks located outside of secure National Oceanic and Atmospheric Administration information and technology systems; and

''(iii) utilizes, whenever appropriate and cost-effective, innovative strategies and methods, including cloud-based computing capabilities, for hosting and management of part or all of the system described in this subsection.''.

(b) UNITED STATES WEATHER RESEARCH PROGRAM.—Section 108(a) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (15 U.S.C. 8520(a)) is amended—

(1) in paragraph (10), by striking ''; and'' and inserting a semi-colon;

(2) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(12) carry out the activities of the Earth Prediction Innovation Center as described in section 102(b)(2) of the Weather Research and

Forecasting Innovation Act of 2017 (15 U.S.C. 8512(b)(2)).''.

SEC. 5. COMPUTING RESOURCES PRIORITIZATION.

(a) IN GENERAL.—Section 108 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8518) is amended to read as follows:

''SEC. 108. COMPUTING RESOURCE EFFICIENCY IMPROVEMENT AND ANNUAL REPORT.

''(a) COMPUTING RESOURCES.—

''(1) IN GENERAL.—In acquiring computing capabilities, including high performance computing technologies and supercomputing technologies, that enable the National Oceanic and Atmospheric Administration to meet its mission requirements, the Under Secretary shall, when appropriate and cost-effective, assess and prioritize options for entering into multi-year lease agreements for computing capabilities over options for purchasing computing hardware outright.

''(2) ACQUISITION.—In carrying out the requirements of paragraph (1), the Under Secretary shall structure multi-year lease agreements in such a manner that the expiration of the lease is set for a date on or around—

''(A) the expected degradation point of the computing resources; or

''(B) the point at which significantly increased computing capabilities are expected to be available for lease.

''(3) PILOT PROGRAMS.—

''(A) IN GENERAL.—In order to more efficiently and effectively meet the mission requirements of the National Oceanic and Atmospheric Administration, the Under Secretary may create 1 or more pilot programs for assessing new or innovative information and technology capabilities and services.

''(B) PROGRAM REQUIREMENTS.—Any program created under paragraph (3) shall assess only those capabilities and services that—

''(i) meet or exceed the standards and requirements of the National Oceanic and Atmospheric Administration, including for processing speed, cybersecurity, and overall reliability; or

''(ii) meet or exceed, or are expected to meet or exceed, the performance of similar, in-house information and technology capabilities and services that are owned and operated by the National Oceanic and Atmospheric Administration prior to the establishment of the pilot program.

''(C) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, out of funds appropriated to the National Environmental Satellite, Data, and Information Service, to carry out this paragraph $5,000,000 for fiscal year 2019, $10,000,000 for fiscal year 2020, and $5,000,000 for each of fiscal years 2021 through 2023, to remain available until expended.

''(b) REPORTS.—Not later than 1 year after the date of enactment of the National Integrated Drought Information System Reauthorization Act of 2018, and triennially thereafter until the date that is 6 years after the date on which the first report is submitted, the Under Secretary, acting through the Chief Information Officer of the National Oceanic and Atmospheric Administration and in coordination with the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service, shall produce and make publicly available a report that explains how the Under Secretary intends—

''(1) to continually support upgrades to pursue the fastest, most powerful, and cost-effective high performance computing technologies in support of its weather prediction mission;

''(2) to ensure a balance between the research to operations requirements to develop the next generation of regional and global models as well as highly reliable operational models;

''(3) to take advantage of advanced development concepts to, as appropriate, make next generation weather prediction models available in beta-test mode to operational forecasters, the United States weather industry, and partners in academic and Government research;

''(4) to use existing computing resources to improve advanced research and operational weather prediction;

''(5) to utilize non-Federal contracts to obtain the necessary expertise for advanced weather computing, if appropriate;

''(6) to utilize cloud computing; and

''(7) to create a long-term strategy to transition the programming language of weather model code to current and broadly-used coding language.''.

(b) TABLE OF CONTENTS.—Section 1(b) of the Weather Research and Forecasting Innovation Act of 2017 (Public Law 115–25; 131 Stat. 91) is amended by striking the item relating to section 108 and inserting the following:

''Sec. 108. Computing resource efficiency improvement and annual report.''.

SEC. 6. SATELLITE ARCHITECTURE PLANNING.

Section 301 of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531) is amended by adding at the end the following:

''(c) NEXT GENERATION SATELLITE ARCHITECTURE.—

''(1) IN GENERAL.—The Under Secretary shall analyze, test, and plan the procurement of future data sources and satellite architectures, including respective ground system elements, identified in the National Oceanic and Atmospheric Administration's Satellite Observing System Architecture Study that—

''(A) lower the cost of observations used to meet the National Oceanic and Atmospheric Administration's mission requirements;

''(B) disaggregate current satellite systems, where appropriate;

''(C) include new, value-adding technological advancements; and

''(D) improve weather forecasting and predictions.

''(2) QUANTITATIVE ASSESSMENTS AND PARTNERSHIP AUTHORITY.—In meeting the requirements described in paragraph (1), the Under Secretary—

''(A) may partner with the commercial and academic sectors, non-governmental and not-for-profit organizations, and other Federal agencies; and

''(B) shall, consistent with section 107 of this Act, undertake quantitative assessments for objective analyses, as the Under Secretary considers appropriate, to evaluate relative value and benefits of future data sources and satellite architectures described in paragraph (1).

''(d) ADDITIONAL FORMS OF TRANSACTION AUTHORIZED.—

''(1) IN GENERAL.—Subject to paragraph (2), in order to enhance the effectiveness of data and satellite systems used by the National Oceanic and Atmospheric Administration to meet its missions, the Under Secretary may enter into and perform such transaction agreements on such terms as the Under Secretary considers appropriate to carry out basic, applied, and advanced research projects to meet the objectives described in subparagraphs (A) through (D) subsection (c)(1).

''(2) METHOD AND SCOPE.—

''(A) IN GENERAL.—A transaction agreement under paragraph (1) shall be limited to research and development activities.

''(B) PERMISSIBLE USES.—A transaction agreement under paragraph (1) may be used—

''(i) for the construction, use, operation, or procurement of new, improved, innovative, or value-adding satellites, instrumentation, ground stations, and data;

''(ii) to make determinations on how to best use existing or planned data, systems, and assets of the National Oceanic and Atmospheric Administration; and

''(iii) only when the objectives of the National Oceanic and Atmospheric Administration cannot be met using a cooperative research and development agreement, grants procurement contract, or cooperative agreement.

''(3) TERMINATION OF EFFECTIVENESS.—The authority provided in this subsection terminates effective September 30, 2023.

''(e) TRANSPARENCY.—Not later than 60 days after the date that a transaction agreement is made under subsection (d), the Under Secretary shall make publicly available, in a searchable format, on the website of the National Oceanic and Atmospheric Administration all uses of the authority under subsection (d), including an estimate of committed National Oceanic and Atmospheric Administration resources and the expected benefits to National Oceanic and Atmospheric Administration objectives for the transaction agreement, with appropriate redactions for proprietary, sensitive, or classified information.

''(f) REPORTS.—

''(1) IN GENERAL.—Not later than 90 days after September 30 of each fiscal year through September 30, 2023, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the use of additional transaction authority by the National Oceanic and Atmospheric Administration during the previous fiscal year.

''(2) CONTENTS.—Each report shall include—

''(A) for each transaction agreement in effect during the fiscal year covered by the report—

''(i) an indication of whether the transaction agreement is a reimbursable, non-reimbursable, or funded agreement;

''(ii) a description of—

''(I) the subject and terms;

''(II) the parties;

''(III) the responsible National Oceanic and Atmospheric Administration line office;

''(IV) the value;

''(V) the extent of the cost sharing among Federal Government and non-Federal sources;

''(VI) the duration or schedule; and

''(VII) all milestones;

''(iii) an indication of whether the transaction agreement was renewed during the previous fiscal year;

''(iv) the technology areas in which research projects were conducted under that agreement;

''(v) the extent to which the use of that agreement—

''(I) has contributed to a broadening of the technology and industrial base available for meeting National Oceanic and Atmospheric Administration needs; and

''(II) has fostered within the technology and industrial base new relationships and practices that support the United States; and

''(vi) the total value received by the Federal Government under that agreement for that fiscal year; and

''(B) a list of all anticipated reimbursable, non-reimbursable, and funded transaction agreements for the upcoming fiscal year.

''(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed as limiting the authority of the National Oceanic and Atmospheric Administration to use cooperative research and development agreements, grants, procurement contracts, or cooperative agreements.''.

SEC. 7. INTEGRATION OF OCEAN AND COASTAL DATA FROM THE INTEGRATED OCEAN OBSERVING SYSTEM.

(a) IN GENERAL.—Section 301(a)(2) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531(a)(2)) is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) support increasing use of autonomous, mobile surface, sub-surface, and submarine vehicle ocean and fresh water sensor systems and the infrastructure necessary to share and analyze these data in real-time and feed them into predictive early warning systems.''.

(b) COMMERCIAL WEATHER DATA; AUTHORIZATION OF APPROPRIATIONS.—Section 302(c)(3) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8532(c)(3)) is amended—

(1) by striking ''2017 through 2020'' and inserting ''2019 through 2023''; and

(2) by inserting ''the'' before ''National''.

SEC. 8. IMPROVEMENTS TO COOPERATIVE OBSERVER PROGRAM OF NATIONAL WEATHER SERVICE.

(a) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere, acting through the National Weather Service, shall improve the Cooperative Observer Program by—

(1) providing support to—

(A) State-coordinated programs relating to the Program; and

(B) States and regions where observations provided through the Program are scarce;

(2) working with State weather service headquarters to increase participation in the Program and to add stations in States and regions described in paragraph (1)(B);

(3) where feasible, ensuring that data streams from stations that have been contributing data to the Program for more than 50 years are maintained and continually staffed by volunteers;

(4) prioritizing the recruitment of new volunteers for the Program;

(5) ensuring that opportunities exist for automated reporting to lessen the burden on volunteers to collect and report data by hand; and

(6) ensuring that integrated reporting is available for qualitative observations that cannot be automated, such as drought conditions, snow observations, and hazardous weather events, to ensure that volunteers in the Program can report and upload observations quickly and easily.

(b) COORDINATION WITH STATES AND REGIONS.—Not less frequently than every 180 days, the National Weather Service shall coordinate with State and regional offices with respect to the status of Cooperative Observer Program stations.

(c) COORDINATION WITH FEDERAL AGENCIES.—The National Weather Service shall coordinate with other Federal agencies, including the Forest Service, the Department of Agriculture, and the United States Geological Survey, to leverage opportunities to grow the Cooperative Observer Program network and to more effectively use existing infrastructure, weather stations, and staff of the Program.

SEC. 9. HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND CONTROL.

(a) SHORT TITLE.—This section may be cited as the ''Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2017''.

(b) REFERENCES TO THE HARMFUL ALGAL BLOOM AND HYPOXIA RESEARCH AND CONTROL ACT OF 1998.—Except as otherwise expressly provided, wherever in this section an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (33 U.S.C. 4001 et seq.).

(c) INTER-AGENCY TASK FORCE.—Section 603(a) (33 U.S.C. 4001(a)) is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) by redesignating paragraph (13) as paragraph (14); and

(3) by inserting after paragraph (12) the following:

''(13) the Army Corps of Engineers; and''.

(d) SCIENTIFIC ASSESSMENTS OF FRESHWATER HARMFUL ALGAL BLOOMS.—Section 603 (33 U.S.C. 4001) is amended—

(1) by striking subsection (f);

(2) by redesignating subsections (g), (h), (i), and (j) as subsections (f), (g), (h), and (i), respectively; and

(3) by amending subsection (g) to read as follows:

''(g) SCIENTIFIC ASSESSMENTS OF MARINE AND FRESHWATER HARMFUL ALGAL BLOOMS.—Not less than once every 5 years the Task Force shall complete and submit to Congress a scientific assessment of harmful algal blooms in United States coastal waters and freshwater systems. Each assessment shall examine both marine and freshwater harmful algal blooms, including those in the Great Lakes and upper reaches of estuaries, those in freshwater lakes and rivers, and those that originate in freshwater lakes or rivers and migrate to coastal waters.''.

(e) NATIONAL HARMFUL ALGAL BLOOM AND HYPOXIA PROGRAM.—

(1) PROGRAM DUTIES.—Section 603A(e) (33 U.S.C. 4002(e)) is amended—

(A) in paragraph (1), by inserting '', including to local and regional stakeholders through the establishment and maintenance of a publicly accessible Internet website that provides information as to Program activities completed under this section'' after ''Program'';

(B) in paragraph (3)—

(i) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (C), by inserting ''and'' after the semicolon at the end; and

(iii) by adding at the end the following:

''(D) to accelerate the utilization of effective methods of intervention and mitigation to reduce the frequency, severity, and impacts of harmful algal bloom and hypoxia events;'';

(C) in paragraph (4), by striking ''and work cooperatively with'' and inserting '', and work cooperatively to provide technical assistance to,''; and

(D) in paragraph (7)—

(i) by inserting ''and extension'' after ''existing education''; and

(ii) by inserting ''intervention,'' after ''awareness of the causes, impacts,''.

(2) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACTIVITIES.—Section 603A(f) (33 U.S.C. 4002(f)) is amended—

(A) in paragraph (3), by inserting '', which shall include unmanned systems,'' after ''infrastructure'';

(B) in paragraph (5), by striking ''and'' at the end;

(C) in paragraph (6)(C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(7) use cost effective methods in carrying out this Act; and

''(8) develop contingency plans for the long-term monitoring of hypoxia.''.

(f) CONSULTATION REQUIRED.—Section 102 of the Harmful Algal Bloom and Hypoxia Amendments Act of 2004 (33 U.S.C. 4001a) is amended by striking ''the amendments made by this title'' and inserting ''the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998''.

(g) HYPOXIA OR HARMFUL ALGAL BLOOM OF NATIONAL SIGNIFICANCE.—

(1) RELIEF.—

(A) IN GENERAL.—Upon a determination under paragraph (2) that there is an event of national significance, the appropriate Federal official is authorized to make sums available to the affected State or local government for the purposes of assessing and mitigating the detrimental environmental, economic, subsistence use, and public health effects of the event of national significance.

(B) FEDERAL SHARE.—The Federal share of the cost of any activity carried out under this paragraph for the purposes described in subparagraph (A) may not exceed 50 percent of the cost of that activity.

(C) DONATIONS.—Notwithstanding any other provision of law, an appropriate Federal official may accept donations of funds, services, facilities, materials, or equipment that the appropriate Federal official considers necessary for the purposes described in subparagraph (A). Any funds donated to an appropriate Federal official under this paragraph may be expended without further appropriation and without fiscal year limitation.

(2) DETERMINATIONS.—

(A) IN GENERAL.—At the discretion of an appropriate Federal official, or at the request of the Governor of an affected State, an appropriate Federal official shall determine whether a hypoxia or harmful algal bloom event is an event of national significance.

(B) CONSIDERATIONS.—In making a determination under subparagraph (A), the appropriate Federal official shall consider the toxicity of the harmful algal bloom, the severity of the hypoxia, its potential to spread, the economic impact, the relative size in relation to the past 5 occurrences of harmful algal blooms or hypoxia events that occur on a recurrent or annual basis, and the geographic scope, including the potential to affect several municipalities, to affect more than 1 State, or to cross an international boundary.

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE FEDERAL OFFICIAL.—The term ''appropriate Federal official'' means—

(i) in the case of a marine or coastal hypoxia or harmful algal bloom event, the Under Secretary of Commerce for Oceans and Atmosphere; and

(ii) in the case of a freshwater hypoxia or harmful algal bloom event, the Administrator of the Environmental Protection Agency.

(B) EVENT OF NATIONAL SIGNIFICANCE.—The term ''event of national significance'' means a hypoxia or harmful algal bloom event that has had or will likely have a significant detrimental environmental, economic, subsistence use, or public health impact on an affected State.

(C) HYPOXIA OR HARMFUL ALGAL BLOOM EVENT.—The term ''hypoxia or harmful algal bloom event'' means the occurrence of hypoxia or a harmful algal bloom as a result of a natural, anthropogenic, or undetermined cause.

(h) AUTHORIZATION OF APPROPRIATIONS.—Section 609(a) (33 U.S.C. 4009(a)) is amended by inserting '', and $20,500,000 for each of fiscal years 2019 through 2023'' before the period at the end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S. 2200, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2200 has broad bipartisan support, and I urge all Members to support this legislation.

This bill reauthorizes and enhances priority NOAA programs, especially the Weather Research and Forecasting Innovation Act. The Weather Act, signed into law by President Trump 2 years ago, already has made tremendous advances in the accuracy and timeliness of weather forecasting and the rapid integration of the private sector.

S. 2200 accelerates advances in model development and data assimilation, increases the use of innovative computing technologies and leasing strategies, promotes targeted research for the next generation of weather satellites, and further engages the growing commercial weather industry through reauthorization of the Commercial Weather Data Pilot program.

I would like to thank Senate Commerce Chairman JOHN THUNE for his leadership on this bill, which enables NOAA to protect lives and property and advance the economy of the United States.

Mr. Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2200, the National Integrated Drought Information System Reauthorization Act of 2018.

The NIDIS program has grown tremendously since its creation in 2006, and this reauthorization will aid in continuing its mission to provide a drought early warning system by coordinating and integrating drought research through key Federal, State, local, and Tribal partnerships.

This bill also includes a reauthorization of the Harmful Algal Bloom and Hypoxia Research and Control Act, which Senator NELSON and I introduced this Congress with bipartisan support.

This bill provides valuable resources to better understand, detect, assess, monitor, and respond to both marine and freshwater harmful algal blooms and hypoxia events.

Updating this program and investing in research on harmful algal blooms and hypoxia will help Oregonians and people across the country who are facing the dangerous effects of exposure to harmful algal blooms in drinking water sources, oceans, and lakes.

Recently, we have seen harmful algal blooms cut off access to clean drinking water for residents of Salem, Oregon, and they have stifled recreational activities on the Willamette River. Harmful algal blooms in the marine environment produce dangerous toxins that make Oregon's prized Dungeness crabs toxic and deprive fishing communities of income.

As co-chair of both the House Oceans Caucus and the House Estuary Caucus, I am pleased to reauthorize the research programs that help us better predict and guard against harmful algal blooms in marine and freshwater systems.

Additionally, this bill contains provisions to reauthorize funding for programs from the Weather Research and Forecasting and Innovation Act of 2017, which I fully support.

Other language in this bill regarding NOAA's Earth prediction innovation center, computing resources, and our next-generation satellite architecture, though valuable, is completely new to this body and is deserving of robust, discussion which has been missing.

Though I am supportive of the NIDIS, the algal blooms bill, and the Weather Act programs that are reauthorized in this legislation, I would like to note that we have not had a hearing, a markup, or any substantive discussion of these programs in the House of Representatives this Congress.

These critical issues do warrant such discussion, given the number of Americans affected by either drought or toxic algal blooms and hypoxia events, and all Americans benefit from NOAA programs that provide timely and accurate forecasts.

I look forward to the Science, Space, and Technology Committee providing a forum to discuss these significant issues next Congress.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, in closing, I would just like to thank the gentlewoman from Oregon (Ms. BONAMICI) for all of her good work on the Science, Space, and Technology Committee over several years' time.

I also want to express my appreciation to her for being instrumental in the number of bipartisan bills that the Science, Space, and Technology Committee has brought to the House floor. In fact, as of today, 33 of the 35 Science, Space, and Technology Committee bills that have passed the House floor have been bipartisan bills.

Ms. BONAMICI has worked on any number of those bills to help make sure that they are bipartisan, and to the extent that those bills have been changed, they have been improved because of her input. So I really want to thank her for her friendship over the years and for her contributions on the Science, Space, and Technology Committee over the years.

Mr. Speaker, I reserve the balance of my time.

Ms. BONAMICI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I do thank Chairman SMITH. I have been on the Science, Space, and Technology Committee my entire time in Congress, and I thank him for his years of leadership and service to the committee.

Even though Chairman SMITH and I have not always agreed on every issue, he has been always willing to listen and to work with me and my colleagues on my side of the aisle on bills like the Weather Research and Forecasting Innovation Act of 2017, which we worked on for several years together and is now law.

So, again, I thank Chairman SMITH for his years of service to the committee. I wish him well in the new chapter of his life.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me thank the gentlewoman from Oregon for those very nice comments. They are much appreciated.

I also want to take just a minute to thank the ranking member of the full committee, EDDIE BERNICE JOHNSON, my colleague and friend from Texas. We also would not be here without her effort over the many, many years and her help in making sure that 33 of the 35 bills that the Science, Space, and Technology Committee has passed on the House floor were, in fact, bipartisan.

I also want to congratulate her on being the next chairman of the Science, Space, and Technology Committee. I know she brings a lot of intelligence and a lot of commitment and will do great work on behalf of the country as chairman of the Science, Space, and Technology Committee.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of S. 2200, the ''National Integrated Drought Information System Reauthorization Act of 2018''. This bill also reauthorizes the ''Harmful Algal Bloom and Hypoxia Research and Control Act,'' as introduced by Senator NELSON and my colleague on the Science Committee, Ms. BONAMICI. Both of these existing programs have years of successful accomplishments, and their reauthorization ensures that NOAA will be able to continue supporting communities that are dealing with the impacts of drought and toxic freshwater and marine harmful algal blooms and hypoxia events.

The Weather Research and Forecasting and Innovation Act that the House passed in a bipartisan fashion last year was a great accomplishment for the Science Committee, and I am happy to see the existing weather laboratories, cooperative institutes, joint technology

transfer initiative and research programs within NOAA's Office of Oceanic and Atmospheric Research will be reauthorized with this bill.

As Congresswoman BONAMICI mentioned earlier, this bill reauthorizes critical programs at NOAA that benefit countless Americans, which I fully support.

However, I am disappointed in the process used to bring NIDIS, HABHRCA, and the Weather Act to the floor today for reauthorization. The brand-new language in this bill related to NOAA's Earth Prediction Innovation Center, computing resources, and our next-generation satellite architecture has never gone through the standard committee process in either the House or the Senate. By not providing an opportunity for hearings, markups, or any debate on these key pieces of legislation we rob our colleagues of the opportunity to advocate for their constituents, and do not do justice to the importance of these provisions. I hope we will do better to abide by regular order next Congress, and it is my intention to do that on the Science Committee.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 2200.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1300

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING PROCEEDINGS TODAY

Mr. MCHENRY. Mr. Speaker, I ask unanimous consent that, during further proceedings today in the House, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX.

The SPEAKER pro tempore (Mr. BOST). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

STOP, OBSERVE, ASK, AND RESPOND TO HEALTH AND WELLNESS ACT OF 2018

Mr. GUTHRIE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 767) to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop, Observe, Ask, and Respond to Health and Wellness Act of 2018'' or the ''SOAR to Health and Wellness Act of 2018''.

SEC. 2. PROGRAM ESTABLISHMENT.

Part E of title XII of the Public Health Service Act (42 U.S.C. 300d–51 et seq.) is amended by adding at the end the following:

''SEC. 1254. STOP, OBSERVE, ASK, AND RESPOND TO HEALTH AND WELLNESS TRAINING PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish a program to be known as the Stop, Observe, Ask, and Respond to Health and Wellness Training Program or the SOAR to Health and Wellness Training Program (in this section referred to as the 'Program') to provide training to health care and social service providers on human trafficking in accordance with this section.

''(b) ACTIVITIES.—

''(1) IN GENERAL.—The Program shall include the Stop, Observe, Ask, and Respond to Health and Wellness Training Program's activities existing on the day before the date of enactment of this section and the authorized initiatives described in paragraph (2).

''(2) AUTHORIZED INITIATIVES.—The authorized initiatives of the Program shall include—

''(A) engaging stakeholders, including victims of human trafficking and Federal, State, local, and tribal partners, to develop a flexible training module—

''(i) for supporting activities under subsection (c); and

''(ii) that adapts to changing needs, settings, health care providers, and social service providers;

''(B) providing technical assistance to grantees related to implementing activities described in subsection (c) and reporting on any best practices identified by the grantees;

''(C) developing a reliable methodology for collecting data, and reporting such data, on the number of human trafficking victims identified and served by grantees in a manner that, at a minimum, prevents disclosure of individually identifiable information consistent with all applicable privacy laws and regulations; and

''(D) integrating, as appropriate, the training described in paragraphs (1) through (4) of subsection (c) with training programs, in effect on the date of enactment of this section, for health care and social service providers for victims of intimate partner violence, sexual assault, stalking, child abuse, child neglect, child maltreatment, and child sexual exploitation.

''(c) GRANTS.—The Secretary may award grants to appropriate entities to train health care and social service providers to—

''(1) identify potential human trafficking victims;

''(2) implement best practices for working with law enforcement to report and facilitate communication with human trafficking victims, in accordance with all applicable Federal, State, local, and tribal laws, including legal confidentiality requirements for patients and health care and social service providers;

''(3) implement best practices for referring such victims to appropriate health care, social, or victims service agencies or organizations; and

''(4) provide such victims with coordinated, age-appropriate, culturally relevant, trauma-informed, patient-centered, and evidence-based care.

''(d) CONSIDERATION IN AWARDING GRANTS.—The Secretary, in making awards under this section, shall give consideration to—

''(1) geography;

''(2) the demographics of the population to be served;

''(3) the predominant types of human trafficking cases involved; and

''(4) health care and social service provider profiles.

''(e) DATA COLLECTION AND REPORTING.—

''(1) IN GENERAL.—The Secretary shall collect data and report on the following:

''(A) The total number of entities that received a grant under this section.

''(B) The total number and geographic distribution of health care and social service providers trained through the Program.

''(2) INITIAL REPORT.—In addition to the data required to be collected under paragraph (1), for purposes of the initial report to be submitted under paragraph (3), the Secretary shall collect data on the total number of facilities and health care professional organizations that were operating under, and the total number of health care and social service providers trained through, the Stop, Observe, Ask, and Respond to Health and Wellness Training Program existing prior to the establishment of the Program under this section.

''(3) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit an annual report to Congress on the data collected under this subsection in a manner that, at a minimum, prevents the disclosure of individually identifiable information consistent with all applicable privacy laws and regulations.

''(f) SHARING BEST PRACTICES.—The Secretary shall make available, on the Internet website of the Department of Health and Human Services, a description of the best practices and procedures used by entities that receive a grant for carrying out activities under this section.

''(g) DEFINITION.—In this section, the term 'human trafficking' has the meaning given the term 'severe forms of trafficking in persons' as defined in section 103 of the Trafficking Victims Protection Act of 2000.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act, $4,000,000 for each of fiscal years 2020 through 2024.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. GUTHRIE) and the gentleman from New Mexico (Mr. BEN RAY LUJÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GUTHRIE. Mr. Speaker, I yield 2 minutes to the gentleman from Montana (Mr. GIANFORTE), my good friend.

Mr. GIANFORTE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, Montanans didn't send me here to shut down the government, but they also didn't send me here to let their priorities die in a lameduck session that is in every part lame. I stand here still urging this body to take up a public lands package and secure the border.

A public lands package should include the permanent reauthorization of the Land and Water Conservation Fund. A public lands package should include the Yellowstone Gateway Protection Act that permanently conserves public land in Paradise Valley. A public lands package should include

H.R. 3764 to provide long-overdue Federal recognition to the Little Shell Tribe of Chippewa Indians.

Mr. Speaker, we could just kick the can here on government funding, on our public lands, and on border security all because CHUCK SCHUMER and NANCY PELOSI are folding their arms, shaking their heads no, and refusing to secure our border.

Mr. Speaker, this lame-duck session doesn't have to produce lame results. I urge my colleagues to take up a public lands package and to secure our border.

Mr. BEN RAY LUJAN of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Senate amendment to H.R. 767, the SOAR to Health and Wellness Act of 2018.

This bill establishes a training program for healthcare and social service providers in order to better identify potential victims of human trafficking when they come into contact with healthcare or social services professionals. The bill provides grants to appropriate entities to help train these providers on how to identify and appropriately treat potential victims of human trafficking.

Nearly 21 million people worldwide are victims of human trafficking, forced labor, or sexual exploitation. At some point, many of these unidentified victims will come into contact with a healthcare provider or social services professional. It is critical for these providers to know how best to care for these individuals and how to ensure they can coordinate their treatment with other providers in a way that is culturally relevant, trauma informed, and patient centered. Helping healthcare professionals better recognize the signs of trafficking and improve their ability to intervene can truly be the difference between life and death.

Mr. Speaker, the House passed H.R. 767 on February 26 of this year, and we are now considering the amendment to the bill that the Senate agreed to yesterday. These changes reflect bipartisan efforts to streamline the text of the legislation, while maintaining the bill's intent and scope as originally passed in the House.

I want to thank Congressman COHEN for sponsoring this important piece of legislation and for his leadership on this issue.

Mr. Speaker, I urge my colleagues to support the bill. I have no further speakers, and I yield back the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I enjoyed working with my colleague from New Mexico in moving this bill forward.

Mr. Speaker, H.R. 767, the SOAR Act, will head to the President's desk after passage today. It is critical in ensuring adequate treatment of victims of human trafficking.

Mr. Speaker, I urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 767.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CODIFYING USEFUL REGULATORY DEFINITIONS ACT

Mr. GUTHRIE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2322) to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Codifying Useful Regulatory Definitions Act'' or the ''CURD Act''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) There is a need to define the term ''natural cheese'' in order to maintain transparency and consistency for consumers so that they may differentiate ''natural cheese'' from ''process cheese''.

(2) The term ''natural cheese'' has been used within the cheese making industry for more than 50 years and is well-established.

SEC. 3. DEFINITION OF NATURAL CHEESE.

(a) DEFINITION.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

''(ss)(1) The term 'natural cheese' means cheese that is a ripened or unripened soft, semi-soft, or hard product, which may be coated, that is produced—

''(A) by—

''(i) coagulating wholly or partly the protein of milk, skimmed milk, partly skimmed milk, cream, whey cream, or buttermilk, or any combination of such ingredients, through the action of rennet or other suitable coagulating agents, and by partially draining the whey resulting from the coagulation, while respecting the principle that cheese-making results in a concentration of milk protein (in particular, the casein portion), and that consequently, the protein content of the cheese will be distinctly higher than the protein level of the blend of the above milk materials from which the cheese was made; or

''(ii) processing techniques involving coagulation of the protein of milk or products obtained from milk to produce an end-product with similar physical, chemical, and organoleptic characteristics as the product described in subclause (i); and

''(iii) including the addition of safe and suitable non-milk derived ingredients of the type permitted in the standards of identity described in clause (B) as natural cheese; or

''(B) in accordance with standards of identity under part 133 of title 21, Code of Federal Regulations (or any successor regulations), other than the standards described in subparagraph (2) or any future standards adopted by the Secretary in accordance with subparagraph (2)(I).

''(2) Such term does not include—

''(A) pasteurized process cheeses as defined in section 133.169, 133.170, or 133.171 of title 21, Code of Federal Regulations (or any successor regulations);

''(B) pasteurized process cheese foods as defined in section 133.173 or 133.174 of title 21, Code of Federal Regulations (or any successor regulations);

''(C) pasteurized cheese spreads as defined in section 133.175, 133.176, or 133.178 of title 21, Code of Federal Regulations (or any successor regulations);

''(D) pasteurized process cheese spreads as defined in section 133.179 or 133.180 of title 21, Code of Federal Regulations (or any successor regulations);

''(E) pasteurized blended cheeses as defined in section 133.167 or 133.168 of title 21, Code of Federal Regulations (or any successor regulations);

''(F) any products comparable to any product described in any of clauses (A) through (E); or

''(G) cold pack cheeses as defined in section 133.123, 133.124, or 133.125 title 21, Code of Federal Regulations (or any successor regulations);

''(H) grated American cheese food as defined in section 133.147 of title 21, Code of Federal Regulations (or any successor regulations); or

''(I) any other product the Secretary may designate as a process cheese.

''(3) For purposes of this paragraph, the term 'milk' has the meaning given such term in section 133.3 of title 21, Code of Federal Regulations (or any successor regulations) and includes the lacteal secretions from animals other than cows.''.

(b) LABELING.—Section 403 of the Federal Food Drug and Cosmetic Act (21 U.S.C. 343) is amended by adding at the end the following:

''(z) If its label or labeling includes the term 'natural cheese' as a factual descriptor of a category of cheese unless the food meets the definition of natural cheese under section 201(ss), except that nothing in this paragraph shall prohibit the use of the term 'natural' or 'all-natural', or a similar claim or statement with respect to a food in a manner that is consistent with regulations, guidance, or policy statements issued by the Secretary.''.

(c) NATIONAL UNIFORMITY.—Section 403A(a)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343–1(a)(2)) is amended by striking ''or 403(w)'' and inserting ''403(w), or 403(z)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. GUTHRIE) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GUTHRIE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before us today is a bill to define the term ''natural cheese.'' The House sponsor is our Speaker from Wisconsin, obviously, from the cheese State and the dairy State. What we are debating is S. 2322, the CURD Act.

Mr. Speaker, I ask my colleagues to support its passage, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the bill we are considering under suspension of the rules, S. 2322, the Codifying Useful Regulatory Definitions Act, or the CURD Act.

This bill has not proceeded through regular order and codifies into the Federal Food, Drug, and Cosmetic Act a highly prescriptive definition of ''natural cheese'' that should be determined by the FDA, not by Congress.

This legislation creates a statutory definition for a specific category of cheese and expressly distinguishes what shall be considered natural cheese from the other standards of identity for processed cheese currently defined in regulation. The bill then codifies these regulatory standards of identity into the statute and expressly preempts any non-Federal definition of the term ''natural cheese.''

The FDA has the authority to define this term, yet proponents of this legislation prefer legislative expediency over sound regulatory decisionmaking. Supporters insist that this definition is needed in statute immediately to assure it quickly applies. However, instead of waiting to proceed through regular order or following the regulatory process, stakeholders are asking for an immediate statutory change because of ongoing litigation that this bill will help to resolve for some stakeholders.

Mr. Speaker, I am concerned that by rushing this legislation through we have not been given adequate time to consider the implications for this change or how this definition might impact consumers and other industry stakeholders. The FDA is best positioned to consider the public health impacts of defining this term and how it would interact with other agency efforts regarding nutrition labeling, such as a broader definition for the term ''natural.''

Additionally, I am concerned by the precedent this legislation creates and believe that passing this bill only encourages stakeholders to seek additional statutory changes or definitional clarity for the products when they believe the FDA has not acted as expeditiously as they wish or when they are facing litigation.

We should be making changes to the Federal statute when they are necessary and in order to protect the public health, not when industry is seeking a favorable outcome that could be achieved through regulatory process. I do not believe this change is warranted in this circumstance.

Finally, Mr. Speaker, I strongly believe that legislation like the CURD Act should be considered through regular order, and I am opposed to this bill, given that the House of Representatives has held no hearings on this issue and has not marked up the bill under consideration today. The Senate passed this bill in the dead of night, with no discussion or debate on the floor. I believe we are abdicating our duty to fully consider the implications of this statutory change if we pass this bill today.

On the substance, Mr. Speaker, the Center for Science in the Public Interest, Consumer Reports, and The Good Food Institute are all opposed to this legislation and have raised serious concerns about the impact of this change on consumer confusion and transparency. I include in the RECORD letters in opposition to the bill from all three.

CENTER FOR SCIENCE
IN THE PUBLIC INTEREST,
Washington, DC, December 19, 2018.

DEAR MEMBER: The Center for Science in the Public Interest writes to urge you to oppose the CURD Act (H.R. 4828, S. 2322). This misguided bill would define ''natural cheese'' in a way that actually muddles, rather than clarifies, the term. For example, it would allow the use of artificial colors and additives in ''natural cheese'' and would also make labeling for cheese inconsistent with U.S. Department of Agriculture (USDA) labeling requirements and possibly also with the Food and Drug Administration's (FDA's) labeling requirements for other ''natural'' foods. The bill could also prevent the term ''natural'' from being used on non-dairy cheese alternatives that may otherwise rightly be considered natural by consumers.

The stated purpose of the bill is to draw a clear line for consumers between ''natural cheese'' and processed cheese. Yet we have seen no evidence that consumers are confusing processed cheese with natural cheese in the marketplace. The FDA's current standards of identity for processed cheese types already require that these cheeses include a specific statement of identity on the label indicating that they are ''process cheese.'' And there are currently strong incentives for the manufacturers of process cheese to avoid ''natural'' claims, as this could expose cheesemakers to liability.

Rather than protecting consumers, the bill would confuse them by permitting misleading ''natural'' claims on products that most Americans would not consider natural. For example, a nationally representative telephone survey conducted in May 2018 by Consumer Reports found that more than 80 percent of consumers say ''natural'' should mean no artificial ingredients were used. Yet the CURD Act allows for the use of synthetic food dye, artificial flavors, and other artificial additives in so-called ''natural cheese.'' Similarly, an overwhelming majority of Americans surveyed felt that use of the term ''natural'' should be reserved for foods that deploy natural agricultural practices to produce the food's ingredients, including by limiting the use of hormones, pesticides, and antibiotics. In contrast, the bill would allow the term ''natural cheese'' to appear irrespective of the agricultural practices used to produce the cheese's ingredients.

The bill would also make labeling for ''natural cheese'' inconsistent with USDA and with likely future FDA requirements for ''natural'' on food labels in general. The USDA currently permits the use of the term ''natural'' on products that contain no artificial ingredient or added color and which are only minimally processed. In addition, understanding that ''natural'' can have many meanings, the USDA requires a brief statement of meaning on labels to avoid confusion, stating, that the food is ''*no more than minimally processed and contains no artificial ingredients.'' The FDA is also currently considering adopting a definition of ''natural'' and may create similar requirements based on comments in its public docket on the issue. Yet the bill would authorize the claim ''natural cheese'' to be used on cheese in a manner that fails to align with either the USDA's current rules or prospective FDA requirements, leading to inconsistency and confusion across the marketplace.

Finally, the bill defines ''natural cheese'' in a manner that could be interpreted to prohibit use of the term on non-dairy alternatives intended for consumers who are vegan, lactose intolerant, or who otherwise wish to avoid dairy cheeses. Use of the term ''natural'' should not be prohibited on these products, provided the products otherwise meet consumer expectations for use of this term.

The FDA is currently working on a definition of ''natural'' that would be non-misleading, based on consumer understanding, and apply uniformly to all FDA-regulated foods, including cheese. Congress should not act prematurely to carve out a definition for ''natural cheese'' before the agency has taken action to define ''natural'' for other products.

For these reasons, we urge you to vote ''no'' on the CURD Act.

Sincerely,

SARAH SORSCHER,
Deputy Director of Regulatory Affairs, Center for Science in the Public Interest.

CONSUMER REPORTS,
December 20, 2018.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Consumer Reports (CR), an independent, nonprofit member organization that works side by side with consumers for truth, transparency, and fairness in the marketplace, urges you to vote no on S. 2322, the Codifying Useful Regulatory Definitions (CURD) Act. This bill would only add to consumer confusion at the supermarket and undermine ongoing efforts to make food labeling clearer and more consistent.

S. 2322 would amend the Federal Food, Drug, and Cosmetic Act to set a definition of ''natural cheese'' and prohibit food from being labeled as ''natural cheese'' unless it meets that definition. Unfortunately, this seemingly mundane bill would allow cheese to be labeled ''natural'' even if the cheese includes artificial ingredients or synthetic substances, such as yellow food dye, or if the cheese was produced using methods or pesticides that consumers do not consider ''natural'' according to our recent survey.

Generally, S. 2322 would permit misleading food labeling on cheese that is inconsistent with consumers' understanding of the term ''natural.'' According to Consumer Reports' nationally representative April 2018 survey of 1,014 U.S. residents, most Americans think ''natural'' should mean: (1) that no artificial ingredients were used (81%); (2) that no added hormones were used during food production (81%); and (3) that no chemical pesticides were used during food production (79%). The CURD Act would allow the label ''natural cheese'' on products with any of these characteristics.

We also oppose S. 2322 because it would undermine ongoing work at the Food and Drug Administration (FDA) to define ''natural''

through a process that prioritizes the public interest and involves the input of all stakeholders. This effort intends to define the term ''natural'' in a way that is not misleading and based on consumer understanding, and that applies to all foods in the marketplace overseen by the agency. We support this initiative, especially because our April 2018 survey found that 88% of Americans think that all companies should meet the same standard for the ''natural'' label. Congress should not short-circuit this important work by setting a special definition of ''natural cheese.''

The CURD Act ultimately places the interests of cheese producers ahead of the broad need for consumers to understand what they're buying and feeding their families. We urge you to support a clear, consistent, and accountable food marketplace for consumers, and vote no on S. 2322.

Sincerely,

JEAN HALLORAN,
Director, Food Policy Initiatives Consumer Reports.
CHARLOTTE VALLAEYS,
Senior Policy Analyst Consumer Reports.
WILLIAM WALLACE,
Senior Policy Analyst, Consumer Reports.

THE GOOD FOOD INSTITUTE,
Washington, DC, December 19, 2018.

Hon. GREG WALDEN,
Chairman, House Committee on Energy and Commerce,
Hon. FRANK PALLONE, JR.,
Ranking Member, House Committee on Energy and Commerce, Washington D.C.
Re Opposition to the Codifying Useful Regulatory Definitions Act (''CURD Act'').

DEAR CHAIRMAN WALDEN AND REP. PALLONE: The Good Food Institute (''GFI'') is a 501(c)(3) nonprofit organization that serves as a think tank and accelerator for plant-based foods and cell-based meat. GFI is comprised of scientists, entrepreneurs, lawyers, and policy experts focused on using food innovation and markets to create a more sustainable food supply. More specifically, we support policies that ensure a level playing field for plant-based foods and cell-based meat. We write today to express our opposition to the CURD Act (S. 2322).

A marketplace that serves consumers well is one in which products compete on their merits, not on their political connections. The role of the government in this marketplace is to ensure that products bear clear, accurate, and consistent labels that present essential information without confusing or misleading consumers.

In our view, the CURD Act has three significant flaws. First, the Act would override FDA's regulatory definition of milk as it pertains to standards of identity for cheeses by explicitly including ''the lacteal secretions from animals other than cows'' but not plant-based milks. The agency's current definition, 21 C.F.R. §133.3, states that milk used in cheese is obtained by the ''complete milking of one or more healthy cows.'' Of course, there are a wide variety of cheeses in the marketplace that are made from other kinds of milks, including goat's milk, sheep's milk, and cashew milk. The word cheese is allowable so long as these products' labels clearly communicate to consumers the identity of the product (that it is made from goat's milk, sheep's milk, or cashew milk)—just as terms like soy milk, almond milk, and chocolate milk are allowable on milk cartons. The CURD Act's expansion of the definition of milk to include lacteal secretions of other animals, but not plants, suggests that its intent is protectionist: to permit producers to use the label ''natural cheese'' when their products contain ingredients that are not natural (e.g., synthetic dyes) while simultaneously attempting to deny producers of plant-based cheeses access to the same term.

Second, the CURD Act would establish a product-specific definition of the term ''natural'' instead of a consistent definition set by FDA that would apply to all the food products it regulates. Setting a product-specific definition of ''natural'' would likely conflict with how FDA uses it in other contexts and could result in consumer confusion.

Third, the Act would create a rift between FDA and USDA regarding the use of ''natural'' on labels. This too could increase consumer confusion. Since the term ''natural'' can mean different things to different consumers, USDA currently requires USDA-approved labels to briefly explain on-label what a ''natural'' claim applies to. The CURD Act does not require any such explanation, giving ''natural cheese'' a free pass to claim it is natural without giving further information to consumers.

To ensure a fair marketplace that works for consumers, food labels must be clear to consumers and not privilege one set of producers over another. By that measure, the CURD Act fails. We therefore respectfully urge you to oppose the bill at this time.

Thank you very much for your consideration of this request.

Sincerely,

JESSICA ALMY, ESQ.
Director of Policy, The Good Food Institute.
KENNETH FORSBERG, PH.D.,
Senior Policy Specialist, The Good Food Institute.

□ 1315

Mr. PALLONE. Mr. Speaker, we should not displace the important role of the FDA in determining the correct terminology and approach to regulating and labeling food products like cheese. Changes to the statute should be considered in broad daylight, with robust discussion and significant input from consumer, industry, and government stakeholders.

That has not happened in this case, and for these reasons I oppose the bill and urge my colleagues to oppose the bill as well.

Mr. Speaker, I yield back the balance of my time.

Mr. GUTHRIE. Mr. Speaker, I support S. 2322, the CURD Act, which would define the term ''natural cheese'' within the Federal statute and, with passage, head to the President's desk.

Mr. Speaker, I urge all Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill, S. 2322.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

VA WEBSITE ACCESSIBILITY ACT OF 2018

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6418) to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''VA Website Accessibility Act of 2018''.

SEC. 2. STUDY REGARDING THE ACCESSIBILITY OF WEBSITES OF THE DEPARTMENT OF VETERANS AFFAIRS TO INDIVIDUALS WITH DISABILITIES.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall examine all websites (including attached files and web-based applications) of the Department of Veterans Affairs to determine whether such websites are accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(b) REPORT.—Not later than 90 days after completing the study under subsection (a), the Secretary shall submit a report to Congress regarding such study. The report shall include the following:

(1) A list of each website, file, or web-based application described in subsection (a) that is not accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(2) The plan of the Secretary to bring each website, file, or web-based application identified in the list under paragraph (1) into compliance with the requirements of section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6418, as amended, the VA Website Accessibility Act of 2018.

Mr. Speaker, in the interest of time, I will allow Vice Ranking Member TAKANO to discuss the bill, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6418, as amended, the VA Website Accessibility Act of 2018. This bill from Representative ESTY mandates that the VA finally make all of its websites compliant for visually impaired individuals. This is a long-overdue action that the Blinded Veterans Association has tirelessly advocated for to make VA communications and information fully accessible to everyone, and I am proud to support this bill.

I have no further speakers.

Mr. Speaker, I urge my colleagues to vote in support of H.R. 6418, as amended, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, once again, I encourage all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 6418, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DOUGLAS FOURNET DEPARTMENT OF VETERANS AFFAIRS CLINIC

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3444) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the ''Douglas Fournet Department of Veterans Affairs Clinic''.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3444

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF DOUGLAS FOURNET DEPARTMENT OF VETERANS AFFAIRS CLINIC IN LAKE CHARLES, LOUISIANA.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, shall after the date of the enactment of this Act be known and designated as the ''Douglas Fournet Department of Veterans Affairs Clinic'' or the ''Douglas Fournet VA Clinic''.

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Douglas Fournet Department of Veterans Affairs Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. HIGGINS) to discuss this bill.

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of S. 3444, which renames the VA community-based outpatient clinic in Lake Charles, Louisiana, after First Lieutenant Douglas Fournet.

Mr. Speaker, I was proud to sponsor the House version of this bill.

Douglas Fournet is an American hero deserving of the highest tribute. He joined the Army in 1966 and was deployed to Vietnam. There, Fournet served as rifle platoon leader of the 2nd Platoon, Company Bravo.

In the A Shau Valley of Vietnam, the platoon came under sniper fire. With an enemy mine in the way of the platoon's advance, Fournet ordered his men to take cover. He then ran uphill to the mine and attempted to disarm it with a knife. Before he could succeed, the mine was detonated.

Douglas Fournet was posthumously awarded the Medal of Honor in 1970. He is the sole recipient from southwest Louisiana.

Douglas Fournet gave his last full measure of devotion in service to his country and in defense of his platoon.

Our freedoms are paid for by the blood of patriots like First Lieutenant Fournet. Renaming of the Lake Charles VA clinic is a small tribute to his courage and forever enshrines the legacy among southwest Louisiana veterans.

Mr. Speaker, I urge my colleagues to join with me and honor the life, legacy, and gallantry of First Lieutenant Douglas Fournet. I urge favorable passage.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3444, a bill to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the Douglas Fournet Department of Veterans Affairs Clinic.

I support this bill from Senator CASSIDY to name this clinic after Louisiana Medal of Honor recipient Douglas Fournet.

I have no further speakers. Mr. Speaker, I urge my colleagues to vote in support of S. 3444, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I encourage all Members to support this legislation for an American hero, First Lieutenant Douglas Fournet. It is a privilege to recommend this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, S. 3444.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FOREVER GI BILL HOUSING PAYMENT FULFILLMENT ACT OF 2018

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3777) to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3777

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Forever GI Bill Housing Payment Fulfillment Act of 2018''.

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) On August 16, 2017, the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48) (known by some as the ''Forever GI Bill'') was enacted into law.

(2) Such Act makes certain improvements to the Post-9/11 Educational Assistance program for veterans, including improvements relating to how the Secretary of Veterans Affairs calculates the amount of payments for monthly housing stipends under that program.

(3) Section 107 of such Act (Public Law 115–48; 33 U.S.C. 3313 note) requires the Secretary to calculate the amount of payments for monthly housing stipends based on the location of the campus of the institution of higher learning where the individual attends classes, a change from the previous direction to make such calculation based on the location of the institution of higher learning.

(4) Section 501 of such Act (Public Law 115–48; 37 U.S.C. 403 note) repeals the inapplicability of a modification of the basic allowance for housing for members of the uniformed services to benefits administered by the Department of Veterans Affairs.

(5) The amendments made by section 107 and 501 of such Act became effective on August 1, 2018, and January 1, 2018, respectively.

(6) Representatives of the Department of Veterans Affairs have stated that the Department will not be able to determine proper payment amounts based on the amendment made by section 107 of such Act until December 1, 2019.

(7) Representatives of the Department have also stated that outdated information technology systems have stymied efforts to update necessary information that enable proper housing payments as required by the provisions of law amended by sections 107 and 501 of such Act.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) as soon as possible, the Secretary of Veterans Affairs should end the making of improper payment amounts for monthly stipends under section 3313 of title 38, United States Code;

(2) by January 1, 2020, the Secretary should make whole the individuals entitled to payments of monthly stipends under section 3313 of title 38, United States Code, who have been underpaid as a result of the difficulties encountered by the Department of Veterans Affairs in carrying out such section after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48); and

(3) no individuals entitled to payments of monthly stipend under section 3313 of title 38, United States Code, who have been overpaid as a result of the difficulties encountered by the Department in carrying out such section after the enactment of sections 107 and 501 of such Act should have overpayments recuperated by the Department.

SEC. 3. TIGER TEAM FOR HOUSING STIPENDS.

(a) ESTABLISHMENT.—Not later than one day after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a tiger team (in this section referred to as the ''Tiger Team'') dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note).

(b) COMPOSITION.—Not later than 15 days after the date of the enactment of this Act, the Secretary shall submit to Congress the names and titles of the employees of the Department who compose the Tiger Team established under subsection (a), including the name and title of the senior-level employee of the Department who serves as the lead accountable official of the Tiger Team.

(c) DUTIES.—

(1) SUBMISSION TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Tiger Team shall submit to Congress the following:

(A) A plan describing the following:

(i) How the Secretary will obtain the information necessary to determine the correct payment amounts for monthly stipends under section 3313 of title 38, United States Code, made after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note), from officials responsible for the certification of payments of monthly stipends made under section 3313 of such title.

(ii) How the Secretary will modify the relevant information technology systems of the Department to correct the payment amounts for monthly stipends under section 3313 of such title made after the enactment of sections 107 and 501 of such Act (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note) that were deficient.

(iii) How the Secretary will identify all of the individuals who received payments of monthly stipends under section 3313 of such title that were not in compliance with such section, after the enactment of sections 107 and 501 of such Act (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note).

(iv) How the Secretary will notify the individuals described in clause (iii).

(v) The procedures the Secretary will use to correct the payments of monthly stipends under section 3313 of such title that were deficient as a result of the difficulties encountered by the Department of Veterans Affairs in carrying out such section after the enactment of sections 107 and 501 of such Act (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note).

(B) A complete timeline for the implementation of the plan described in subparagraph (A).

(C) Any additional funding and personnel requirements necessary to support the implementation of the plan described in subparagraph (A), including any such requirements as may be necessary for staffing increases or relevant improvements to the information technology infrastructure of the Department.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall implement the plan submitted under paragraph (1)(A).

(B) PERIODIC UPDATES.—Not less frequently than once every 90 days after submission of the items under paragraph (1), the Tiger Team shall submit to Congress an update on the implementation of the plan described in subparagraph (A) of such paragraph.

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than July 1, 2020, the Tiger Team shall submit to the appropriate congressional committees a final report on the activities and findings of the Tiger Team.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) The number of individuals who were affected by payments of monthly stipends under section 3313 of title 38, United States Code, that were not in compliance with such section after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note).

(ii) The number of individuals described in clause (i) who received deficient payments as a result of the difficulties encountered by the Department in carrying out section 3313 of such title after the enactment of sections 107 and 501 of such Act (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note), and the total amount of the deficiency for each individual, disaggregated by State.

(iii) The number of individuals described in clause (ii) who have not received the amount of monthly stipend to which such individuals are entitled under section 3313 of such title and an explanation of why such individuals have not received such amounts.

(iv) A certification of whether the Department is fully compliant with sections 107 and 501 of such Act (Public Law 115–48; 38 U.S.C. 3313 note and 37 U.S.C. 403 note).

(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' means the following:

(i) The Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations and the Committee on Veterans' Affairs of the Senate.

(ii) The Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations and the Committee on Veterans' Affairs of the House of Representatives.

(d) TERMINATION.—On the date that is 60 days after the date on which the Tiger Team submits the final report required by subsection (c)(3), the Secretary shall terminate the Tiger Team established under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material during consideration of S. 3777.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3777, Forever GI Bill Housing Payment Fulfillment Act of 2018.

Mr. Speaker, the Forever GI Bill is one of several landmark bills that this Congress has enacted to help our Nation's veterans; however, the implementation of this law has been bumpy, to say the least, and there have been veterans who have been underpaid due to the Department of Veterans Affairs' inability to modify their ancient IT systems to properly implement the law.

While I am encouraged by Secretary Wilkie's decision to reset implementation of the IT modifications, we owe it to our veterans to conduct proper oversight of this process. That is why I am proud to support this legislation introduced by my good friends Senator BOOZMAN of Arkansas and Mr. ANDY BARR of Kentucky on the House side.

This bill would require the VA to create a ''tiger team'' that would produce a plan to ensure all GI bill users who were underpaid as a result of the IT systems not being in place are made whole. The bill would also require periodic updates on the VA's progress on providing these underpayments to veterans.

Mr. Speaker, this bill will ensure the VA does the right thing and pays student veterans what they are owed under the law. I encourage my colleagues to support S. 3777, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3777, the Forever GI Bill Housing Payment Fulfillment Act of 2018. This bill from Senators BOOZMAN and SCHATZ will help keep the VA accountable as it moves forward to fix the issues it has run into in fully implementing the Forever GI Bill.

As we continue our oversight over VA's implementation of the Forever GI Bill, I am glad this bill provides us with more tools to do so.

I have no further speakers.

Mr. Speaker, I urge my colleagues to vote in support of S. 3777, the Forever GI Bill Housing Payment Fulfillment Act of 2018, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I encourage all Members to support S. 3777, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, S. 3777.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MASSIE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1330

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Concurring in the Senate amendment to the House amendment to S. 756, by the yeas and nays;

Passing H.R. 7328, by the yeas and nays;

Concurring in the Senate amendment to H.R. 5075, by the yeas and nays;

Passing H.R. 7093, by the yeas and nays;

Passing S. 2896, by the yeas and nays;

Passing S. 2961, by the yeas and nays;

Passing S. 2679, by the yeas and nays;

Passing H.R. 7227, by the yeas and nays;

Concurring in the Senate amendments to H.R. 4227, by the yeas and nays;

Passing S. 2652, by the yeas and nays;

Passing S. 2765, by the yeas and nays;

Concurring in the Senate amendment to H.R. 5509, by the yeas and nays;

Passing S. 7, by the yeas and nays;

Passing S. 2200, by the yeas and nays;

Concurring in the Senate amendment to H.R. 767, by the yeas and nays;

Passing S. 2322, by the yeas and nays;

Passing H.R. 6418, by the yeas and nays;

Passing S. 3444, by the yeas and nays;

Passing S. 3777, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 2-minute votes.

SAVE OUR SEAS ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the House amendment to the bill (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and concur in the Senate amendment to the House amendment.

The vote was taken by electronic device, and there were—yeas 358, nays 36, not voting 38, as follows:

[Roll No. 448]

YEAS—358

Adams
Aguilar
Allen
Amash
Amodei
Arrington
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (NY)
Hill
Himes
Hollingsworth
Hoyer
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Labrador
LaHood
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Pallone
Panetta
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Poe (TX)
Poliquin
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Richmond
Roe (TN)
Rogers (KY)
Rohrabacher
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (IA)
Zeldin

NAYS—36

Abraham
Aderholt
Babin
Biggs
Brooks (AL)
Buck
Byrne
Carter (TX)
Cloud
Duffy
Gohmert
Gosar
Higgins (LA)
Holding
Hudson
King (IA)
Kustoff (TN)
LaMalfa
Marchant
Mullin
Norman
Palazzo
Palmer
Pearce
Posey
Rice (SC)
Roby
Rogers (AL)
Rokita
Rouzer
Sanford
Smith (MO)
Smith (NE)
Weber (TX)
Wilson (SC)
Young (AK)

NOT VOTING—38

Bishop (MI)
Black
Capuano
Comstock
Costa
Crowley
Davis, Danny
Duncan (SC)
Gutiérrez
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Pittenger
Polis
Ratcliffe
Rosen
Ross
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

□ 1358

Messrs. WILSON of South Carolina, POSEY, PEARCE, SMITH of Nebraska, MARCHANT, MULLIN, and SANFORD changed their vote from ''yea'' to ''nay.''

Mrs. LOWEY and Ms. STEFANIK changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment to the House amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HASTINGS. Mr. Speaker, I was not present for rollcall No. 448, S. 756—the First Step Act of 2018. However, had I been present, I would have voted "yes" on the measure.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION ACT OF 2018

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7328) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill.

The Chair would like to remind all Members that we are entering into a 2-minute vote series.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 367, nays 9, not voting 56, as follows:

[Roll No. 449]

YEAS—367

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Perlmutter
Peters
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sanford
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—9

Amash
Biggs
Brooks (AL)
King (IA)
Massie
Perry
Poe (TX)
Sensenbrenner
Yoho

NOT VOTING—56

Bishop (MI)
Black
Capuano
Cartwright
Comstock
Costa
Cramer
Crowley
Davidson
Davis, Danny
Denham
Duncan (SC)
Goodlatte
Hanabusa
Hastings
Hoyer
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Kaptur
Keating
Kihuen
Kind
Lewis (GA)
Lofgren
Love
Lowenthal
Lujan Grisham, M.
Maloney, Carolyn B.
Messer
Nadler
Noem
Pelosi
Peterson
Pittenger
Polis
Ratcliffe
Richmond
Rosen
Ross
Russell
Rutherford
Sarbanes
Scott, David
Sessions
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1402

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ASHANTI ALERT ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and concur in the Senate amendment.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 2, not voting 44, as follows:

[Roll No. 450]

YEAS—386

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz

Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—44

Bishop (MI)
Black
Capuano
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Goodlatte
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Kaptur
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Pittenger
Poe (TX)
Polis
Ratcliffe
Rosen
Ross
Roybal-Allard
Russell
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walker
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1405

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CLEAN UP THE CODE ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7093) to eliminate unused sections of the United States Code, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 5, not voting 41, as follows:

[Roll No. 451]

YEAS—386

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perry
Peters
Pingree
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—5

Beyer
Castor (FL)
Perlmutter
Wasserman Schultz
Yarmuth

NOT VOTING—41

Bishop (MI)
Black
Capuano
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Goodlatte
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating

Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Pittenger
Polis
Ratcliffe
Rosen
Ross
Rush
Russell
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1408

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATON

Mr. GOODLATTE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 499, "yea" on rollcall No. 450, and "yea" on rollcall No. 451.

JUSTICE AGAINST CORRUPTION ON K STREET ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2896) to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 391, nays 0, not voting 41, as follows:

[Roll No. 452]

YEAS—391

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—41

Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Higgins (NY)
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Pittenger
Polis
Ratcliffe
Rosen
Ross
Russell
Schrader
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1411

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PITTENGER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 448, "yea" on rollcall No. 449, "yea" on rollcall No. 450, "yea" on rollcall No. 451, and "yea" on rollcall No. 452. "

VICTIMS OF CHILD ABUSE ACT REAUTHORIZATION ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2961) to reauthorize subtitle A of the Victims of Child Abuse Act of 1990, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 2, not voting 42, as follows:

[Roll No. 453]

YEAS—388

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper

Correa
Costello (PA)
Courtney
Crawford
Crist
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—42

Barragán
Bishop (MI)
Black
Blumenauer
Comstock
Costa
Cramer
Crowley
Cuellar
Davis, Danny
Duncan (SC)
Garrett
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1414

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERANS SMALL BUSINESS ENHANCEMENT ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2679) to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. MARSHALL) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 1, not voting 42, as follows:

[Roll No. 454]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Allen
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner

Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—1

Amash

NOT VOTING—42

Amodei
Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Gonzalez (TX)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Sarbanes
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walker
Walters, Mimi
Walz

□ 1417

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TAXPAYER FIRST ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 7227) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. RICE) that the House suspend the rules and pass the bill, as amended.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 11, not voting 43, as follows:

[Roll No. 455]

YEAS—378

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—11

Amash
Biggs
Blum
Brat
Buck
Duncan (TN)
Gaetz
Gosar
Hice, Jody B.
Perry
Sanford

NOT VOTING—43

Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Ellison
Garrett
Gutiérrez
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
McCollum
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Simpson
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1420

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VEHICULAR TERRORISM PREVENTION ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill (H.R. 4227) to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. ESTES) that the House suspend the rules and concur in the Senate amendments.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 2, not voting 42, as follows:

[Roll No. 456]

YEAS—388

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy

Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—42

Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Gaetz
Hanabusa
Hastings
Higgins (NY)
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Rutherford
Scott, Austin
Scott, David
Shea-Porter
Simpson
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1423

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STEPHEN MICHAEL GLEASON CONGRESSIONAL GOLD MEDAL ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2652) to award a Congressional Gold Medal to Stephen Michael Gleason, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 2, not voting 40, as follows:

[Roll No. 457]

YEAS—390

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney

Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—40

Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Denham
Duncan (SC)
Hanabusa
Harper
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1426

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RBIC ADVISERS RELIEF ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2765) to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 0, not voting 43, as follows:

[Roll No. 458]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—43

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Denham
Duncan (SC)
Ellison
Gaetz
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Pascrell
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1430

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

INNOVATIONS IN MENTORING, TRAINING, AND APPRENTICESHIPS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 13, not voting 41, as follows:

[Roll No. 459]

YEAS—378

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess

Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutiérrez
Handel
Harper
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela´zquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—13

Amash
Biggs
Buck
Duncan (TN)
Gaetz
Gosar
Grothman
Harris
Massie
McClintock
Poe (TX)
Rice (SC)
Sanford

NOT VOTING—41

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Denham
Duncan (SC)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
LaHood
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1434

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NASA ENHANCED USE LEASING EXTENSION ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 7) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 42, as follows:

[Roll No. 460]

YEAS—390

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader

Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—42

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Denham
Duncan (SC)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walker
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1437

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM REAUTHORIZATION ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2200) to reauthorize the National Integrated Drought Information System, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 9, not voting 44, as follows:

[Roll No. 461]

YEAS—379

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Handel
Harper
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—9

Amash
Biggs
Duncan (TN)
Grothman
Harris
Massie
Perry
Sensenbrenner
Taylor

NOT VOTING—44

Bishop (MI)
Black
Capuano
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Ferguson
Gutiérrez
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Napolitano
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1440

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 461.

STOP, OBSERVE, ASK, AND RESPOND TO HEALTH AND WELLNESS ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 767) to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and concur in the Senate amendment.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 386, nays 6, not voting 40, as follows:

[Roll No. 462]

YEAS—386

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—6

Amash
Biggs
Gohmert
Massie
Poe (TX)
Weber (TX)

NOT VOTING—40

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1443

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CODIFYING USEFUL REGULATORY DEFINITIONS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 2322) to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. GUTHRIE) that the House suspend the rules and pass the bill.

This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 230, nays 162, not voting 40, as follows:

[Roll No. 463]

YEAS—230

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Beyer
Bilirakis
Bishop (UT)
Blackburn
Blum
Bonamici
Bost
Brady (TX)
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Bustos
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Cooper
Costello (PA)
Courtney
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
DeFazio
Delaney
DelBene
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frelinghuysen
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Hartzler
Hensarling
Hern
Herrera Beutler
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hudson
Huizenga
Hurd
Johnson (OH)
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
Lesko
Lewis (MN)
LoBiondo
Loebsack
Long
Loudermilk
Lucas
Luetkemeyer
Luján, Ben Ray
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Moore
Mullin
Murphy (FL)
Newhouse
Nolan
Norman
Nunes
O'Rourke
Olson
Palazzo
Palmer
Panetta
Paulsen
Payne
Pearce
Perlmutter
Pittenger
Pocan
Poliquin
Posey
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce (CA)
Rutherford
Ryan (OH)
Scalise
Scanlon
Schneider
Schrader
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—162

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Biggs
Bishop (GA)
Blumenauer
Blunt Rochester
Boyle, Brendan F.
Brady (PA)
Brat
Brown (MD)
Brownley (CA)
Buck
Burgess
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cloud
Clyburn
Connolly
Correa
Crist
Cuellar
Cummings
Davis (CA)
DeGette
DeLauro
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.

Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Frankel (FL)
Fudge
Gabbard
Gaetz
Garrett
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Harris
Heck
Hice, Jody B.
Higgins (NY)
Hoyer
Huffman
Hunter
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Lofgren
Lowey
Lynch
Maloney, Carolyn B.
Massie
Matsui
McClintock
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Morelle
Moulton
Nadler
Napolitano
Neal
Norcross
O'Halleran
Pallone
Pascrell
Pelosi
Perry
Peters
Pingree
Poe (TX)
Price (NC)
Quigley
Raskin
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (NJ)
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Wild
Wilson (FL)

NOT VOTING—40

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1448

Messrs. RUSH, O'HALLERAN, PETERS, and Ms. JUDY CHU of California changed their vote from ''yea'' to ''nay.''

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

VA WEBSITE ACCESSIBILITY ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6418) to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 387, nays 0, not voting 45, as follows:

[Roll No. 464]

YEAS—387

Abraham
Adams
Aderholt
Aguilar
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—45

Allen
Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Dunn
Hanabusa
Hastings
Hultgren
Hurd
Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lowey
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Rouzer
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1451

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DOUGLAS FOURNET DEPARTMENT OF VETERANS AFFAIRS CLINIC

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3444) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the ''Douglas Fournet Department of Veterans Affairs Clinic'', on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 44, as follows:

[Roll No. 465]

YEAS—388

Abraham
Adams
Aderholt
Aguilar
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—44

Allen
Bishop (MI)
Black
Cheney
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
DeFazio
Duncan (SC)
Dunn
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Rouzer
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1454

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FOREVER GI BILL HOUSING PAYMENT FULFILLMENT ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3777) to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill.

This is a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 0, not voting 43, as follows:

[Roll No. 466]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin

Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—43

Allen
Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Dunn
Gutiérrez
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross
Rouzer
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1457

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1500

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—CONTINUING APPROPRIATIONS

SECTION 101. FULL-YEAR EXTENSION.

Division C of Public Law 115–245 is amended by striking the date specified in section 105(3) and inserting ''September 30, 2019''.

TITLE II—TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

SEC. 201. TANF PROGRAM EXTENSIONS.

(a) FAMILY ASSISTANCE GRANTS.—Section 403(a)(1) of the Social Security Act (42 U.S.C. 603(a)(1)) is amended in each of subparagraphs (A) and (C) by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

(b) HEALTHY MARRIAGE PROMOTION AND RESPONSIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of such Act (42 U.S.C. 603(a)(2)(D)) is amended—

(1) by striking ''2017 and 2018'' and inserting ''2019 and 2020''; and

(2) by striking ''for fiscal year 2017 or 2018''.

(c) CONTINGENCY FUND.—Section 403(b)(2) of such Act (42 U.S.C. 603(b)(2)) is amended by striking ''fiscal year 2018'' and inserting ''each of fiscal years 2019 and 2020''.

(d) TRIBAL FAMILY ASSISTANCE GRANTS.—Paragraphs (1)(A) and (2)(A) of section 412(a) of such Act (42 U.S.C. 612(a)) are each amended by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

(e) CHILD CARE.—Section 418(a)(3) of such Act (42 U.S.C. 618(a)(3)) is amended by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

(f) GRANTS TO THE TERRITORIES.—Section 1108(b)(2) of such Act (42 U.S.C. 1308(b)(2)) is amended by striking ''2017 and 2018'' and inserting ''2019 and 2020''.

SEC. 202. MEASURING AND UNDERSTANDING OUTCOMES.

(a) IN GENERAL.—Section 411(a) of the Social Security Act (42 U.S.C. 611(a)) is amended by redesignating paragraph (7) as paragraph (8) and inserting after paragraph (6) the following:

''(7) REPORT ON ENGAGEMENT, EMPLOYMENT AND OUTCOMES.—

''(A) REPORTING AGREEMENT.—Each State and the Secretary shall enter into an agreement specifying the manner by which the information and data described in this paragraph shall be collected and reported to the Secretary beginning in fiscal year 2020.

''(i) OUTCOMES FOR EXITING RECIPIENTS.—Information and data regarding families who formerly received assistance and included a work-eligible individual (disaggregated by type of family, reason for exit, and participation in work activities during the preceding fiscal year) under the State program funded under this part or under any State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), with respect to the following:

''(I) The percentage with at least 1 formerly work-eligible individual employed during the 2nd quarter after exiting from the program.

''(II) The percentage with at least 1 formerly work-eligible individual employed during the 4th quarter after exiting from the program.

''(III) The median earnings when at least 1 formerly work-eligible individual is employed during the 2nd quarter after exiting from the program.

''(IV) The percentage with at least 1 formerly work-eligible individual employed during any of the first 4 quarters after exiting from the program.

''(V) The distribution of income and earnings, including relative to poverty and deep poverty, for each of the first 4 quarters ending after the quarter of exit from assistance.

''(VI) The percentage who, at the time of exit from the program, were subject to the following:

''(aa) A penalty under section 407(e).

''(bb) A sanction or penalty described in section 404 or 408.

''(cc) A penalty or sanction not described in item (aa) or (bb).

''(ii) ENGAGEMENT AND EMPLOYMENT OF CURRENT RECIPIENTS.—

''(I) WORK-ELIGIBLE INDIVIDUALS.—In the case of current work-eligible individuals under the State program funded under this part or under any State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), the following information relative to current quarter being reported:

''(aa) Earnings in each of the 4 quarters immediately preceding the quarter.

''(bb) Standard measures of employment, earnings, receipt of assistance, and participation in work activities (as defined in section 407(d)) in each of the first 4 quarters following the quarter.

''(II) ALL RECIPIENTS.—The percentage of recipients of assistance under the State program funded under this part who have not attained 24 years of age and who obtain a high school degree or its recognized equivalent while receiving the assistance.

''(B) STATISTICAL ADJUSTMENT MODEL FOR EMPLOYMENT OUTCOMES.—The Secretary, in consultation with the Secretary of Labor and relevant experts, shall develop recommendations by March 1, 2020, on how to establish and disseminate an objective statistical model that will allow the Secretary to make adjustments to the data reported pursuant to subclauses (I) through (IV) of subparagraph (A)(i) of this paragraph, based on economic conditions and the characteristics of participants. To the extent practicable, the recommendations shall be compatible with the statistical adjustment model developed under section 116(b)(3)(A)(viii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(3)(A)(viii)) and, with respect to a State, the State adjusted levels of performance established for the State under that section.''.

SEC. 203. TECHNICAL CORRECTIONS TO DATA EXCHANGE STANDARDS TO IMPROVE PROGRAM COORDINATION.

(a) IN GENERAL.—Section 411(d) of the Social Security Act (42 U.S.C. 611(d)) is amended to read as follows:

''(d) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

''(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part—

''(A) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable Federal law to electronically exchange with another State agency; and

''(B) Federal reporting and data exchange required under applicable Federal law.

''(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

''(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(D) be consistent with and implement applicable accounting principles;

''(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(F) be capable of being continually upgraded as necessary.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.''.

(b) EFFECTIVE DATE.—Not later than the date that is 24 months after the date of the enactment of this section, the Secretary of Health and Human Services shall issue a proposed rule that—

(1) identifies federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges; and

(2) specifies State implementation options and describes future milestones.

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question of whether the text presents a question of the privileges of the House?

Ms. PELOSI. Mr. Speaker, I do.

The SPEAKER pro tempore. The gentlewoman is recognized on the question of order.

Ms. PELOSI. Mr. Speaker, the House and Senate Democrats and Republicans of the Appropriations Committee have worked hard and long to come up with bipartisan legislation to meet the needs of the American people.

Right now, we are in the midst of Congress delaying. The market is down almost 5 points for this and other reasons. This is not the time for us to shut down the government.

We have a product developed in a bipartisan way for the reasons described by the Clerk, who read it, and it is privileged because of the time of the year, because of the extent of the concern that the American people have, and because of the harm that will be done to them if the government shuts down. It would be totally irresponsible.

That is why I consider it a privilege to rise to say: Let's keep the government open by passing this bipartisan legislation first introduced by Congresswoman LOWEY, our distinguished Democratic leader on the Appropriations Committee.

The SPEAKER pro tempore. The Chair is prepared to rule.

The text presented proposes legislative language to continue funding for certain elements of the U.S. Government. The text, by proposing legislative language unachievable by a simple resolution, does not qualify as a question of the privileges of the House.

For what purpose does the gentlewoman from California seek recognition?

Ms. PELOSI. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

For what purpose does the gentleman from California seek recognition?

MOTION TO TABLE

Mr. MCCARTHY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCCARTHY of California moves to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 170, not voting 75, as follows:

[Roll No. 467]

AYES—187

Abraham
Aderholt
Amash
Amodei
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Costello (PA)
Culberson
Curbelo (FL)
Curtis
Davidson
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Emmer
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lesko
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Pittenger
Poliquin
Posey
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Ross
Rothfus
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IA)
Zeldin

NOES—170

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Soto
Speier
Suozzi
Thompson (CA)
Titus
Tonko
Torres
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—75

Allen
Arrington
Barr
Black
Buck
Burgess
Capuano
Comer
Comstock
Conaway
Costa
Cramer
Crawford
Crowley
Davis, Danny
Davis, Rodney
Denham
Duncan (SC)
Dunn
Estes (KS)
Gaetz
Gianforte
Gutiérrez
Hanabusa
Hastings
Hensarling
Hultgren
Issa
Jenkins (KS)
Jones (NC)
Katko
Keating
Kind
LaMalfa
Lee
Lewis (MN)
Love
Lowenthal
Lujan Grisham, M.
Lynch
Marshall
Messer
Newhouse
Noem
O'Rourke
Pearce
Peterson
Poe (TX)
Polis
Ratcliffe
Reed
Rosen
Roskam
Rouzer
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Smith (TX)
Smith (WA)
Swalwell (CA)
Takano
Taylor
Thompson (MS)
Thompson (PA)
Trott
Tsongas
Vela
Walters, Mimi
Walz
Westerman
Yoho
Young (AK)

□ 1531

Mrs. BUSTOS changed her vote from ''aye'' to ''no.''

Mr. PALMER changed his vote from ''no'' to ''aye.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CONAWAY. Mr. Speaker, I was not present for this vote as I was at the White House for the signing of the 2018 Farm Bill.

Had I been present, I would have voted "YEA" on rollcall No. 467.

Mr. ESTES of Kansas. Mr. Speaker, I was not present for rollcall vote No. 467 on Motion to Table. Had I been present, I would have voted "yea."

SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 1181, I call up the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MITCHELL). The Clerk will designate the Senate amendment.

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AFFILIATED AREA.—The term ''affiliated area'' means the Parker's Crossroads Battlefield established as an affiliated area of the National Park System by section 4(a).

(2) PARK.—The term ''Park'' means Shiloh National Military Park, a unit of the National Park System.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.

(a) ADDITIONAL AREAS.—The boundary of the Park is modified to include the areas that are generally depicted on the map entitled ''Shiloh National Military Park, Proposed Boundary Adjustment'', numbered 304/80,011, and dated July 2014, and which are comprised of the following:

(1) Fallen Timbers Battlefield.

(2) Russell House Battlefield.

(3) Davis Bridge Battlefield.

(b) ACQUISITION AUTHORITY.—The Secretary may acquire the land described in subsection (a) by donation or exchange.

(c) ADMINISTRATION.—Any land acquired under this section shall be administered as part of the Park.

SEC. 4. ESTABLISHMENT OF AFFILIATED AREA.

(a) IN GENERAL.—Parker's Crossroads Battlefield in the State of Tennessee is established as an affiliated area of the National Park System.

(b) DESCRIPTION OF AFFILIATED AREA.—The affiliated area shall consist of the area generally depicted within the ''Proposed Boundary'' on the map entitled ''Parker's Crossroads Battlefield, Proposed Boundary'', numbered 903/80,073, and dated July 2014.

(c) ADMINISTRATION.—The affiliated area shall be managed in accordance with—

(1) this Act; and

(2) any law generally applicable to units of the National Park System.

(d) MANAGEMENT ENTITY.—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) COOPERATIVE AGREEMENTS.—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance for the marketing, marking, interpretation, and preservation of the affiliated area.

(f) LIMITED ROLE OF THE SECRETARY.—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area in accordance with section 100502 of title 54, United States Code.

(2) TRANSMITTAL.—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan developed under paragraph (1).

MOTION TO CONCUR

Mr. BRADY of Texas. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Brady of Texas moves that the House concur in the Senate amendment to H.R. 88 with an amendment consisting of the text of Rules Committee Print 115–87.

The SPEAKER pro tempore. Pursuant to House Resolution 1180, the amendment consisting of the text of Rules Committee Print 115–87 shall be considered as read.

The text of the House amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

DIVISION A—RETIREMENT, SAVINGS, AND OTHER TAX RELIEF ACT OF 2018

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This division may be cited as the Retirement, Savings, and Other Tax Relief Act of 2018.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this division is as follows:

TITLE I—DISASTER TAX RELIEF

SEC. 101. DEFINITIONS.

For purposes of this title—

(1) GENERAL DEFINITIONS.—

(A) QUALIFIED DISASTER AREA.—The term ''qualified disaster area'' means the Hurricane Florence disaster area; the Hurricane Michael disaster area; the Typhoon Mangkhut disaster area; the Typhoon Yutu disaster area; the Mendocino wildfire disaster area; the Camp and Woolsey wildfire disaster area; the Kilauea volcanic eruption and earthquakes disaster area; the Hawaii severe storms, flooding, landslides, and mudslides disaster area; the Wisconsin severe storms, tornadoes, straight-line winds, flooding, and landslides disaster area; the Texas severe storms and flooding disaster area; the North Carolina tornado and severe storms disaster area; the Indiana severe storms and flooding disaster area; the Alabama severe storms and tornadoes disaster area; and the Tropical Storm Gita disaster area.

(B) QUALIFIED DISASTER ZONE.—The term ''qualified disaster zone'' means that portion of any qualified disaster area which is determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the qualified disaster with respect to such disaster area.

(C) QUALIFIED DISASTER.—The term ''qualified disaster'' means, with respect to any qualified disaster area, the disaster by reason of which a major disaster was declared with respect to such area.

(2) HURRICANE FLORENCE.—

(A) HURRICANE FLORENCE DISASTER AREA.—The term ''Hurricane Florence disaster area'' means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Florence.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Hurricane Florence is September 7, 2018.

(C) INCIDENT PERIOD.—The incident period of Hurricane Florence is the period beginning on the incident beginning date of Hurricane Florence and ending on October 8, 2018.

(3) HURRICANE MICHAEL.—

(A) HURRICANE MICHAEL DISASTER AREA.—The term ''Hurricane Michael disaster area'' means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Michael.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Hurricane Michael is October 7, 2018.

(C) INCIDENT PERIOD.—The incident period of Hurricane Michael is the period beginning on the incident beginning date of Hurricane Michael and ending on October 23, 2018.

(4) TYPHOON MANGKHUT.—

(A) TYPHOON MANGKHUT DISASTER AREA.—The term ''Typhoon Mangkhut disaster area'' means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Typhoon Mangkhut.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Typhoon Mangkhut is September 10, 2018.

(C) INCIDENT PERIOD.—The incident period of Typhoon Mangkhut is the period beginning on the incident beginning date of Typhoon Mangkhut and ending on September 11, 2018.

(5) TYPHOON YUTU.—

(A) TYPHOON YUTU DISASTER AREA.—The term ''Typhoon Yutu disaster area'' means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Typhoon Yutu.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Typhoon Yutu is October 24, 2018.

(C) INCIDENT PERIOD.—The incident period of Typhoon Yutu is the period beginning on the incident beginning date of Typhoon Yutu and ending on October 26, 2018.

(6) MENDOCINO WILDFIRE.—

(A) MENDOCINO WILDFIRE DISASTER AREA.—The term ''Mendocino wildfire disaster area'' means an area with respect to which, during the period beginning on August 4, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the wildfire in California commonly known as the Mendocino wildfire of 2018 (including the Carr wildfire of 2018).

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the wildfires referred to in subparagraph (A) is July 23, 2018.

(C) INCIDENT PERIOD.—The incident period of the wildfires referred to in subparagraph (A) is the period beginning on the incident beginning date of such wildfires and ending on September 19, 2018.

(7) CAMP AND WOOLSEY WILDFIRES.—

(A) CAMP AND WOOLSEY WILDFIRE DISASTER AREA.—The term ''Camp and Woolsey wildfire disaster area'' means an area with respect to which, during the period beginning on November 12, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the wildfires in California commonly known as the Camp and Woolsey wildfires of 2018 (including the Hill wildfire of 2018).

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the wildfires referred to in subparagraph (A) is November 8, 2018.

(C) INCIDENT PERIOD.—The incident period of the wildfires referred to in subparagraph (A) is the period beginning on the incident beginning date of such wildfires and ending on November 25, 2018.

(8) KILAUEA VOLCANIC ERUPTION AND EARTHQUAKES.—

(A) KILAUEA VOLCANIC ERUPTION AND EARTHQUAKES DISASTER AREA.—The term ''Kilauea volcanic eruption and earthquakes disaster area'' means an area with respect to which, during the period beginning on May 11, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the Kilauea volcanic eruption and earthquakes occurring in Hawaii during the period beginning on May 3, 2018, and ending on August 17, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the volcanic eruption and earthquakes referred to in subparagraph (A) is May 3, 2018.

(C) INCIDENT PERIOD.—The incident period of the volcanic eruption and earthquakes referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such eruption and earthquakes and ending on August 17, 2018.

(9) HAWAII SEVERE STORMS, FLOODING, LANDSLIDES, AND MUDSLIDES.—

(A) HAWAII SEVERE STORMS, FLOODING, LANDSLIDES, AND MUDSLIDES DISASTER AREA.—The term ''Hawaii severe storms, flooding, landslides, and mudslides disaster area'' means an area with respect to which, during the period beginning on May 8, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms, flooding, landslides, and mudslides occurring in Hawaii during the period beginning on April 13, 2018, and ending on April 16, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms, flooding, landslides, and mudslides referred to in subparagraph (A) is April 13, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms, flooding, landslides, and mudslides referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms, flooding, landslides, and mudslides and ending on April 16, 2018.

(10) WISCONSIN SEVERE STORMS, TORNADOES, STRAIGHT-LINE WINDS, FLOODING, AND LANDSLIDES.—

(A) WISCONSIN SEVERE STORMS, TORNADOES, STRAIGHT-LINE WINDS, FLOODING, AND LANDSLIDES DISASTER AREA.—The term ''Wisconsin severe storms, tornadoes, straight-line winds, flooding, and landslides disaster area'' means an area with respect to which, during the period beginning on October 18, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms, tornadoes, straight-line winds, flooding, and landslides occurring in Wisconsin during the period beginning on August 17, 2018, and ending on September 14, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms, tornadoes, straight-line winds, flooding, and landslides referred to in subparagraph (A) is August 17, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms, tornadoes, straight-line winds, flooding, and landslides referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms, tornadoes, straight-line winds, flooding, and landslides and ending on September 14, 2018.

(11) TEXAS SEVERE STORMS AND FLOODING.—

(A) TEXAS SEVERE STORMS AND FLOODING DISASTER AREA.—The term ''Texas severe storms and flooding disaster area'' means an area with respect to which, during the period beginning on July 6, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms and flooding occurring in Texas during the period beginning on June 19, 2018, and ending on July 13, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms and flooding referred to in subparagraph (A) is June 19, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms and flooding referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms and flooding and ending on July 13, 2018.

(12) NORTH CAROLINA TORNADO AND SEVERE STORMS.—

(A) NORTH CAROLINA TORNADO AND SEVERE STORMS DISASTER AREA.—The term ''North Carolina tornado and severe storms disaster area'' means an area with respect to which, during the period beginning on May 8, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the tornado and severe storms occurring in North Carolina on April 15, 2018.

(B) INCIDENT BEGINNING DATE; INCIDENT PERIOD.—The incident beginning date, and the incident period, of the tornado and severe storms referred to in subparagraph (A) is April 15, 2018.

(13) INDIANA SEVERE STORMS AND FLOODING.—

(A) INDIANA SEVERE STORMS AND FLOODING DISASTER AREA.—The term ''Indiana severe storms and flooding disaster area'' means an area with respect to which, during the period beginning on May 4, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the

Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms and flooding occurring in Indiana during the period beginning on February 14, 2018, and ending on March 4, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms and flooding referred to in subparagraph (A) is February 14, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms and flooding referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms and flooding and ending on March 4, 2018.

(14) ALABAMA SEVERE STORMS AND TORNADOES.—

(A) ALABAMA SEVERE STORMS AND TORNADOES DISASTER AREA.—The term ''Alabama severe storms and tornadoes disaster area'' means an area with respect to which, during the period beginning on April 26, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms and tornadoes occurring in Alabama during the period beginning on March 19, 2018, and ending on March 20, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms and tornadoes referred to in subparagraph (A) is March 19, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms and tornadoes referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms and tornadoes and ending on March 20, 2018.

(15) TROPICAL STORM GITA.—

(A) TROPICAL STORM GITA DISASTER AREA.—The term ''Tropical Storm Gita disaster area'' means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Tropical Storm Gita.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Tropical Storm Gita is February 7, 2018.

(C) INCIDENT PERIOD.—The incident period of Tropical Storm Gita is the period beginning on the incident beginning date of Tropical Storm Gita and ending on February 12, 2018.

SEC. 102. SPECIAL DISASTER-RELATED RULES FOR USE OF RETIREMENT FUNDS.

(a) TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS.—

(1) IN GENERAL.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified disaster distribution.

(2) AGGREGATE DOLLAR LIMITATION.—

(A) IN GENERAL.—For purposes of this subsection, the aggregate amount of distributions received by an individual which may be treated as qualified disaster distributions for any taxable year shall not exceed the excess (if any) of—

(i) $100,000, over

(ii) the aggregate amounts treated as qualified disaster distributions received by such individual for all prior taxable years.

(B) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would (without regard to subparagraph (A)) be a qualified disaster distribution, a plan shall not be treated as violating any requirement of the Internal Revenue Code of 1986 merely because the plan treats such distribution as a qualified disaster distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $100,000.

(C) CONTROLLED GROUP.—For purposes of subparagraph (B), the term ''controlled group'' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

(D) SPECIAL RULE FOR INDIVIDUALS AFFECTED BY MORE THAN ONE DISASTER.—The limitation of subparagraph (A) shall be applied separately with respect to distributions made with respect to each qualified disaster which is described in a separate paragraph of section 101.

(3) AMOUNT DISTRIBUTED MAY BE REPAID.—

(A) IN GENERAL.—Any individual who receives a qualified disaster distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make 1 or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), of the Internal Revenue Code of 1986, as the case may be.

(B) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified disaster distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified disaster distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(C) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified disaster distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, the qualified disaster distribution shall be treated as a distribution described in section 408(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(4) DEFINITIONS.—For purposes of this subsection—

(A) QUALIFIED DISASTER DISTRIBUTION.—Except as provided in paragraph (2), the term ''qualified disaster distribution'' means any distribution from an eligible retirement plan made on or after the incident beginning date of a qualified disaster and before January 1, 2020, to an individual whose principal place of abode at any time during the incident period of such qualified disaster is located in the qualified disaster area with respect to such qualified disaster and who has sustained an economic loss by reason of such qualified disaster.

(B) ELIGIBLE RETIREMENT PLAN.—The term ''eligible retirement plan'' shall have the meaning given such term by section 402(c)(8)(B) of the Internal Revenue Code of 1986.

(5) INCOME INCLUSION SPREAD OVER 3-YEAR PERIOD.—

(A) IN GENERAL.—In the case of any qualified disaster distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-taxable-year period beginning with such taxable year.

(B) SPECIAL RULE.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(6) SPECIAL RULES.—

(A) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405 of the Internal Revenue Code of 1986, qualified disaster distributions shall not be treated as eligible rollover distributions.

(B) QUALIFIED DISASTER DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes the Internal Revenue Code of 1986, a qualified disaster distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(I), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A) of such Code.

(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

(1) RECONTRIBUTIONS.—

(A) IN GENERAL.—Any individual who received a qualified distribution may, during the applicable period, make 1 or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986) of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3), of such Code, as the case may be.

(B) TREATMENT OF REPAYMENTS.—Rules similar to the rules of subparagraphs (B) and (C) of subsection (a)(3) shall apply for purposes of this subsection.

(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection, the term ''qualified distribution'' means any distribution—

(A) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), 403(b)(11)(B), or 72(t)(2)(F), of the Internal Revenue Code of 1986,

(B) which was to be used to purchase or construct a principal residence in a qualified disaster area, but which was not so used on account of the qualified disaster with respect to such area, and

(C) which was received on or after January 1, 2018, and before the date which is 30 days after the last day of the incident period of such qualified disaster.

(3) APPLICABLE PERIOD.—For purposes of this subsection, the term ''applicable period'' means, in the case of a principal residence in a qualified disaster area with respect to any qualified disaster, the period beginning on the incident beginning date of such qualified disaster and ending on February 28, 2019.

(c) LOANS FROM QUALIFIED PLANS.—

(1) INCREASE IN LIMIT ON LOANS NOT TREATED AS DISTRIBUTIONS.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to a qualified individual made during the period beginning on the date of the enactment of this Act and ending on December 31, 2019—

(A) clause (i) of section 72(p)(2)(A) of such Code shall be applied by substituting ''$100,000'' for ''$50,000'', and

(B) clause (ii) of such section shall be applied by substituting ''the present value of the nonforfeitable accrued benefit of the employee under the plan'' for ''one-half of the present value of the nonforfeitable accrued benefit of the employee under the plan''.

(2) DELAY OF REPAYMENT.—In the case of a qualified individual (with respect to any qualified disaster) with an outstanding loan on or after the incident beginning date (of such qualified disaster) from a qualified employer plan (as defined in section 72(p)(4) of the Internal Revenue Code of 1986)—

(A) if the due date pursuant to subparagraph (B) or (C) of section 72(p)(2) of such Code for any repayment with respect to such loan occurs during the period beginning on the incident beginning date of such qualified disaster and ending on December 31, 2019, such due date shall be delayed for 1 year,

(B) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date under paragraph (1) and any interest accruing during such delay, and

(C) in determining the 5-year period and the term of a loan under subparagraph (B) or (C) of

section 72(p)(2) of such Code, the period described in subparagraph (A) of this paragraph shall be disregarded.

(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ''qualified individual'' means any individual—

(A) whose principal place of abode at any time during the incident period of any qualified disaster is located in the qualified disaster area with respect to such qualified disaster, and

(B) who has sustained an economic loss by reason of such qualified disaster.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in paragraph (2)(B)(i).

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any provision of this section, or pursuant to any regulation issued by the Secretary or the Secretary of Labor under any provision of this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2020, or such later date as the Secretary may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(I) beginning on the date that this section or the regulation described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by this section or such regulation, the effective date specified by the plan), and

(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. 103. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY QUALIFIED DISASTERS.

(a) IN GENERAL.—For purposes of section 38 of the Internal Revenue Code of 1986, in the case of an eligible employer, the 2018 qualified disaster employee retention credit shall be treated as a credit listed in subsection (b) of such section. For purposes of this subsection, the 2018 qualified disaster employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. For purposes of the preceding sentence, the amount of qualified wages which may be taken into account with respect to any individual shall not exceed $6,000.

(b) DEFINITIONS.—For purposes of this section—

(1) ELIGIBLE EMPLOYER.—The term ''eligible employer'' means any employer—

(A) which conducted an active trade or business in a qualified disaster zone at any time during the incident period of the qualified disaster with respect to such qualified disaster zone, and

(B) with respect to whom the trade or business described in subparagraph (A) is inoperable at any time after the incident beginning date of such qualified disaster, and before January 1, 2019, as a result of damage sustained by reason of such qualified disaster.

(2) ELIGIBLE EMPLOYEE.—The term ''eligible employee'' means with respect to an eligible employer an employee whose principal place of employment at any time during the incident period of the qualified disaster referred to in paragraph (1) with such eligible employer was in the qualified disaster zone referred to in such paragraph.

(3) QUALIFIED WAGES.—The term ''qualified wages'' means wages (as defined in section 51(c)(1) of the Internal Revenue Code of 1986, but without regard to section 3306(b)(2)(B) of such Code) paid or incurred by an eligible employer with respect to an eligible employee at any time after the incident beginning date of the qualified disaster referred to in paragraph (1), and before January 1, 2019, which occurs during the period—

(A) beginning on the date on which the trade or business described in paragraph (1) first became inoperable at the principal place of employment of the employee immediately before the qualified disaster referred to in such paragraph, and

(B) ending on the date on which such trade or business has resumed significant operations at such principal place of employment.

Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

(c) CERTAIN RULES TO APPLY.—For purposes of this subsection, rules similar to the rules of sections 51(i)(1), 52, and 280C(a), of the Internal Revenue Code of 1986, shall apply.

(d) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this subsection for any period with respect to any employer if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employee for such period.

SEC. 104. OTHER DISASTER-RELATED TAX RELIEF PROVISIONS.

(a) TEMPORARY SUSPENSION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), subsection (b) of section 170 of the Internal Revenue Code of 1986 shall not apply to qualified contributions and such contributions shall not be taken into account for purposes of applying subsections (b) and (d) of such section to other contributions.

(2) TREATMENT OF EXCESS CONTRIBUTIONS.—For purposes of section 170 of the Internal Revenue Code of 1986—

(A) INDIVIDUALS.—In the case of an individual—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's contribution base (as defined in subparagraph (H) of section 170(b)(1) of such Code) over the amount of all other charitable contributions allowed under section 170(b)(1) of such Code.

(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(1) of such Code) exceeds the limitation of clause (i), such excess shall be added to the excess described in the portion of subparagraph (A) of such section which precedes clause (i) thereof for purposes of applying such section.

(B) CORPORATIONS.—In the case of a corporation—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's taxable income (as determined under paragraph (2) of section 170(b) of such Code) over the amount of all other charitable contributions allowed under such paragraph.

(ii) CARRYOVER.—Rules similar to the rules of subparagraph (A)(ii) shall apply for purposes of this subparagraph.

(3) QUALIFIED CONTRIBUTIONS.—

(A) IN GENERAL.—For purposes of this subsection, the term ''qualified contribution'' means any charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) if—

(i) such contribution—

(I) is paid during the period beginning on February 7, 2018, and ending on December 31, 2018, in cash to an organization described in section 170(b)(1)(A) of such Code, and

(II) is made for relief efforts in one or more qualified disaster areas,

(ii) the taxpayer obtains from such organization contemporaneous written acknowledgment (within the meaning of section 170(f)(8) of such Code) that such contribution was used (or is to be used) for relief efforts described in clause (i)(II), and

(iii) the taxpayer has elected the application of this subsection with respect to such contribution.

(B) EXCEPTION.—Such term shall not include a contribution by a donor if the contribution is—

(i) to an organization described in section 509(a)(3) of the Internal Revenue Code of 1986, or

(ii) for the establishment of a new, or maintenance of an existing, donor advised fund (as defined in section 4966(d)(2) of such Code).

(C) APPLICATION OF ELECTION TO PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, the election under subparagraph (A)(iii) shall be made separately by each partner or shareholder.

(b) SPECIAL RULES FOR QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—

(1) IN GENERAL.—If an individual has a net disaster loss for any taxable year—

(A) the amount determined under section 165(h)(2)(A)(ii) of the Internal Revenue Code of 1986 shall be equal to the sum of—

(i) such net disaster loss, and

(ii) so much of the excess referred to in the matter preceding clause (i) of section 165(h)(2)(A) of such Code (reduced by the amount in clause (i) of this subparagraph) as exceeds 10 percent of the adjusted gross income of the individual,

(B) section 165(h)(1) of such Code shall be applied by substituting ''$500'' for ''$500 ($100 for taxable years beginning after December 31, 2009)'',

(C) the standard deduction determined under section 63(c) of such Code shall be increased by the net disaster loss, and

(D) section 56(b)(1)(E) of such Code shall not apply to so much of the standard deduction as is attributable to the increase under subparagraph (C) of this paragraph.

(2) NET DISASTER LOSS.—For purposes of this subsection, the term ''net disaster loss'' means the excess of qualified disaster-related personal casualty losses over personal casualty gains (as defined in section 165(h)(3)(A) of the Internal Revenue Code of 1986).

(3) QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—For purposes of this subsection, the term ''qualified disaster-related personal casualty losses'' means losses described in section 165(c)(3) of the Internal Revenue Code of 1986 which arise in a qualified disaster area on or after the incident beginning date of the qualified disaster to which such area relates, and which are attributable to such qualified disaster.

(c) SPECIAL RULE FOR DETERMINING EARNED INCOME.—

(1) IN GENERAL.—In the case of a qualified individual, if the earned income of the taxpayer for the applicable taxable year is less than the earned income of the taxpayer for the preceding taxable year, the credits allowed under sections 24(d) and 32 of the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by substituting—

(A) such earned income for the preceding taxable year, for

(B) such earned income for the applicable taxable year.

(2) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ''qualified individual'' means any individual whose principal place of abode at any time during the incident period of any qualified disaster was located—

(A) in the qualified disaster zone with respect to such qualified disaster, or

(B) in the qualified disaster area with respect to such qualified disaster (but outside the qualified disaster zone with respect to such qualified disaster) and such individual was displaced from such principal place of abode by reason of such qualified disaster.

(3) APPLICABLE TAXABLE YEAR.—The term ''applicable taxable year'' means, with respect to any qualified individual, any taxable year which includes any day during the incident period of the qualified disaster to which the qualified disaster area referred to in paragraph (2) relates.

(4) EARNED INCOME.—For purposes of this subsection, the term ''earned income'' has the meaning given such term under section 32(c) of the Internal Revenue Code of 1986.

(5) SPECIAL RULES.—

(A) APPLICATION TO JOINT RETURNS.—For purposes of paragraph (1), in the case of a joint return for an applicable taxable year—

(i) such paragraph shall apply if either spouse is a qualified individual, and

(ii) the earned income of the taxpayer for the preceding taxable year shall be the sum of the earned income of each spouse for such preceding taxable year.

(B) UNIFORM APPLICATION OF ELECTION.—Any election made under paragraph (1) shall apply with respect to both sections 24(d) and 32 of the Internal Revenue Code of 1986.

(C) ERRORS TREATED AS MATHEMATICAL ERROR.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use on a return of earned income pursuant to paragraph (1) shall be treated as a mathematical or clerical error.

(D) NO EFFECT ON DETERMINATION OF GROSS INCOME, ETC.—Except as otherwise provided in this subsection, the Internal Revenue Code of 1986 shall be applied without regard to any substitution under paragraph (1).

SEC. 105. TREATMENT OF CERTAIN POSSESSIONS.

(a) PAYMENTS TO GUAM AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—The Secretary of the Treasury shall pay to Guam and the Commonwealth of the Northern Mariana Islands amounts equal to the loss to that possession by reason of the application of the provisions of this title. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(b) PAYMENTS TO AMERICAN SAMOA.—

(1) IN GENERAL.—The Secretary of the Treasury shall pay to American Samoa amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of American Samoa by reason of the provisions of this title if a mirror code tax system had been in effect in American Samoa. The preceding sentence shall not apply unless American Samoa has a plan, which has been approved by the Secretary of the Treasury, under which American Samoa will promptly distribute such payments to its residents.

(2) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term ''mirror code tax system'' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(c) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

SEC. 106. AUTOMATIC EXTENSION OF FILING DEADLINE.

(a) IN GENERAL.—Section 7508A is amended by adding at the end the following new subsection:

''(d) MANDATORY 60-DAY EXTENSION.—In the case of—

''(1) any individual whose principal place of abode is in a disaster area (as defined in section 165(i)(5)(B)), and

''(2) any taxpayer if the taxpayer's principal place of business (other than the business of performing services of an employee) is located in a disaster area (as so defined),

the period beginning on the earliest incident date specified in the declaration to which such area relates and ending on the date which is 60 days after the latest incident date so specified shall be disregarded in the same manner as a period specified under subsection (a).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to Federally declared disasters declared after December 31, 2017.

TITLE II—RETIREMENT AND SAVINGS

Subtitle A—Expanding and Preserving Retirement Savings

SEC. 201. MULTIPLE EMPLOYER PLANS; POOLED EMPLOYER PLANS.

(a) QUALIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Section 413 is amended by adding at the end the following new subsection:

''(e) APPLICATION OF QUALIFICATION REQUIREMENTS FOR CERTAIN MULTIPLE EMPLOYER PLANS WITH POOLED PLAN PROVIDERS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if a defined contribution plan to which subsection (c) applies—

''(A) is maintained by employers which have a common interest other than having adopted the plan, or

''(B) in the case of a plan not described in subparagraph (A), has a pooled plan provider,

then the plan shall not be treated as failing to meet the requirements under this title applicable to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, merely because one or more employers of employees covered by the plan fail to take such actions as are required of such employers for the plan to meet such requirements.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any plan unless the terms of the plan provide that in the case of any employer in the plan failing to take the actions described in paragraph (1)—

''(i) the assets of the plan attributable to employees of such employer (or beneficiaries of such employees) will be transferred to a plan maintained only by such employer (or its successor), to an eligible retirement plan as defined in section 402(c)(8)(B) for each individual whose account is transferred, or to any other arrangement that the Secretary determines is appropriate, unless the Secretary determines it is in the best interests of the employees of such employer (and the beneficiaries of such employees) to retain the assets in the plan, and

''(ii) such employer (and not the plan with respect to which the failure occurred or any other employer in such plan) shall, except to the extent provided by the Secretary, be liable for any liabilities with respect to such plan attributable to employees of such employer (or beneficiaries of such employees).

''(B) FAILURES BY POOLED PLAN PROVIDERS.—If the pooled plan provider of a plan described in paragraph (1)(B) does not perform substantially all of the administrative duties which are required of the provider under paragraph (3)(A)(i) for any plan year, the Secretary may provide that the determination as to whether the plan meets the requirements under this title applicable to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, shall be made in the same manner as would be made without regard to paragraph (1).

''(3) POOLED PLAN PROVIDER.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'pooled plan provider' means, with respect to any plan, a person who—

''(i) is designated by the terms of the plan as a named fiduciary (within the meaning of section 402(a)(2) of the Employee Retirement Income Security Act of 1974), as the plan administrator, and as the person responsible to perform all administrative duties (including conducting proper testing with respect to the plan and the employees of each employer in the plan) which are reasonably necessary to ensure that—

''(I) the plan meets any requirement applicable under the Employee Retirement Income Security Act of 1974 or this title to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, and

''(II) each employer in the plan takes such actions as the Secretary or such person determines are necessary for the plan to meet the requirements described in subclause (I), including providing to such person any disclosures or other information which the Secretary may require or which such person otherwise determines are necessary to administer the plan or to allow the plan to meet such requirements,

''(ii) registers as a pooled plan provider with the Secretary, and provides such other information to the Secretary as the Secretary may require, before beginning operations as a pooled plan provider,

''(iii) acknowledges in writing that such person is a named fiduciary (within the meaning of section 402(a)(2) of the Employee Retirement Income Security Act of 1974), and the plan administrator, with respect to the plan, and

''(iv) is responsible for ensuring that all persons who handle assets of, or who are fiduciaries of, the plan are bonded in accordance with section 412 of the Employee Retirement Income Security Act of 1974.

''(B) AUDITS, EXAMINATIONS AND INVESTIGATIONS.—The Secretary may perform audits, examinations, and investigations of pooled plan providers as may be necessary to enforce and carry out the purposes of this subsection.

''(C) AGGREGATION RULES.—For purposes of this paragraph, in determining whether a person meets the requirements of this paragraph to be a pooled plan provider with respect to any plan, all persons who perform services for the plan and who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as one person.

''(D) TREATMENT OF EMPLOYERS AS PLAN SPONSORS.—Except with respect to the administrative duties of the pooled plan provider described in subparagraph (A)(i), each employer in a plan which has a pooled plan provider shall be treated as the plan sponsor with respect to the portion of the plan attributable to employees of such employer (or beneficiaries of such employees).

''(4) GUIDANCE.—The Secretary shall issue such guidance as the Secretary determines appropriate to carry out this subsection, including guidance—

''(A) to identify the administrative duties and other actions required to be performed by a pooled plan provider under this subsection,

''(B) which describes the procedures to be taken to terminate a plan which fails to meet the requirements to be a plan described in paragraph (1), including the proper treatment of, and actions needed to be taken by, any employer in the plan and the assets and liabilities of the plan attributable to employees of such

employer (or beneficiaries of such employees), and

''(C) identifying appropriate cases to which the rules of paragraph (2)(A) will apply to employers in the plan failing to take the actions described in paragraph (1).

The Secretary shall take into account under subparagraph (C) whether the failure of an employer or pooled plan provider to provide any disclosures or other information, or to take any other action, necessary to administer a plan or to allow a plan to meet requirements applicable to the plan under section 401(a) or 408, whichever is applicable, has continued over a period of time that demonstrates a lack of commitment to compliance.

''(5) MODEL PLAN.—The Secretary shall publish model plan language which meets the requirements of this subsection and of paragraphs (43) and (44) of section 3 of the Employee Retirement Income Security Act of 1974 and which may be adopted in order for a plan to be treated as a plan described in paragraph (1)(B).''.

(2) CONFORMING AMENDMENT.—Section 413(c)(2) is amended by striking ''section 401(a)'' and inserting ''sections 401(a) and 408(c)''.

(3) TECHNICAL AMENDMENT.—Section 408(c) is amended by inserting after paragraph (2) the following new paragraph:

''(3) There is a separate accounting for any interest of an employee or member (or spouse of an employee or member) in a Roth IRA.''.

(b) NO COMMON INTEREST REQUIRED FOR POOLED EMPLOYER PLANS.—Section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2)) is amended by adding at the end the following:

''(C) A pooled employer plan shall be treated as—

''(i) a single employee pension benefit plan or single pension plan; and

''(ii) a plan to which section 210(a) applies.''.

(c) POOLED EMPLOYER PLAN AND PROVIDER DEFINED.—

(1) IN GENERAL.—Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002) is amended by adding at the end the following:

''(43) POOLED EMPLOYER PLAN.—

''(A) IN GENERAL.—The term 'pooled employer plan' means a plan—

''(i) which is an individual account plan established or maintained for the purpose of providing benefits to the employees of 2 or more employers;

''(ii) which is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code or a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof); and

''(iii) the terms of which meet the requirements of subparagraph (B).

Such term shall not include a plan maintained by employers which have a common interest other than having adopted the plan.

''(B) REQUIREMENTS FOR PLAN TERMS.—The requirements of this subparagraph are met with respect to any plan if the terms of the plan—

''(i) designate a pooled plan provider and provide that the pooled plan provider is a named fiduciary of the plan;

''(ii) designate one or more trustees meeting the requirements of section 408(a)(2) of the Internal Revenue Code of 1986 (other than an employer in the plan) to be responsible for collecting contributions to, and holding the assets of, the plan and require such trustees to implement written contribution collection procedures that are reasonable, diligent, and systematic;

''(iii) provide that each employer in the plan retains fiduciary responsibility for—

''(I) the selection and monitoring in accordance with section 404(a) of the person designated as the pooled plan provider and any other person who, in addition to the pooled plan provider, is designated as a named fiduciary of the plan; and

''(II) to the extent not otherwise delegated to another fiduciary by the pooled plan provider and subject to the provisions of section 404(c), the investment and management of the portion of the plan's assets attributable to the employees of the employer (or beneficiaries of such employees);

''(iv) provide that employers in the plan, and participants and beneficiaries, are not subject to unreasonable restrictions, fees, or penalties with regard to ceasing participation, receipt of distributions, or otherwise transferring assets of the plan in accordance with section 208 or paragraph (44)(C)(i)(II);

''(v) require—

''(I) the pooled plan provider to provide to employers in the plan any disclosures or other information which the Secretary may require, including any disclosures or other information to facilitate the selection or any monitoring of the pooled plan provider by employers in the plan; and

''(II) each employer in the plan to take such actions as the Secretary or the pooled plan provider determines are necessary to administer the plan or for the plan to meet any requirement applicable under this Act or the Internal Revenue Code of 1986 to a plan described in section 401(a) of such Code or to a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof), whichever is applicable, including providing any disclosures or other information which the Secretary may require or which the pooled plan provider otherwise determines are necessary to administer the plan or to allow the plan to meet such requirements; and

''(vi) provide that any disclosure or other information required to be provided under clause (v) may be provided in electronic form and will be designed to ensure only reasonable costs are imposed on pooled plan providers and employers in the plan.

''(C) EXCEPTIONS.—The term 'pooled employer plan' does not include—

''(i) a multiemployer plan; or

''(ii) a plan established before the date of the enactment of the Retirement, Savings, and Other Tax Relief Act of 2018 unless the plan administrator elects that the plan will be treated as a pooled employer plan and the plan meets the requirements of this title applicable to a pooled employer plan established on or after such date.

''(D) TREATMENT OF EMPLOYERS AS PLAN SPONSORS.—Except with respect to the administrative duties of the pooled plan provider described in paragraph (44)(A)(i), each employer in a pooled employer plan shall be treated as the plan sponsor with respect to the portion of the plan attributable to employees of such employer (or beneficiaries of such employees).

''(44) POOLED PLAN PROVIDER.—

''(A) IN GENERAL.—The term 'pooled plan provider' means a person who—

''(i) is designated by the terms of a pooled employer plan as a named fiduciary, as the plan administrator, and as the person responsible for the performance of all administrative duties (including conducting proper testing with respect to the plan and the employees of each employer in the plan) which are reasonably necessary to ensure that—

''(I) the plan meets any requirement applicable under this Act or the Internal Revenue Code of 1986 to a plan described in section 401(a) of such Code or to a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof), whichever is applicable; and

''(II) each employer in the plan takes such actions as the Secretary or pooled plan provider determines are necessary for the plan to meet the requirements described in subclause (I), including providing the disclosures and information described in paragraph (43)(B)(v)(II);

''(ii) registers as a pooled plan provider with the Secretary, and provides to the Secretary such other information as the Secretary may require, before beginning operations as a pooled plan provider;

''(iii) acknowledges in writing that such person is a named fiduciary, and the plan administrator, with respect to the pooled employer plan; and

''(iv) is responsible for ensuring that all persons who handle assets of, or who are fiduciaries of, the pooled employer plan are bonded in accordance with section 412.

''(B) AUDITS, EXAMINATIONS AND INVESTIGATIONS.—The Secretary may perform audits, examinations, and investigations of pooled plan providers as may be necessary to enforce and carry out the purposes of this paragraph and paragraph (43).

''(C) GUIDANCE.—The Secretary shall issue such guidance as the Secretary determines appropriate to carry out this paragraph and paragraph (43), including guidance—

''(i) to identify the administrative duties and other actions required to be performed by a pooled plan provider under either such paragraph; and

''(ii) which requires in appropriate cases that if an employer in the plan fails to take the actions required under subparagraph (A)(i)(II)—

''(I) the assets of the plan attributable to employees of such employer (or beneficiaries of such employees) are transferred to a plan maintained only by such employer (or its successor), to an eligible retirement plan as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986 for each individual whose account is transferred, or to any other arrangement that the Secretary determines is appropriate in such guidance; and

''(II) such employer (and not the plan with respect to which the failure occurred or any other employer in such plan) shall, except to the extent provided in such guidance, be liable for any liabilities with respect to such plan attributable to employees of such employer (or beneficiaries of such employees).

The Secretary shall take into account under clause (ii) whether the failure of an employer or pooled plan provider to provide any disclosures or other information, or to take any other action, necessary to administer a plan or to allow a plan to meet requirements described in subparagraph (A)(i)(II) has continued over a period of time that demonstrates a lack of commitment to compliance. The Secretary may waive the requirements of subclause (ii)(I) in appropriate circumstances if the Secretary determines it is in the best interests of the employees of the employer referred to in such clause (and the beneficiaries of such employees) to retain the assets in the plan with respect to which the employer's failure occurred.

''(D) AGGREGATION RULES.—For purposes of this paragraph, in determining whether a person meets the requirements of this paragraph to be a pooled plan provider with respect to any plan, all persons who perform services for the plan and who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as one person.''.

(2) BONDING REQUIREMENTS FOR POOLED EMPLOYER PLANS.—The last sentence of section 412(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1112(a)) is amended by inserting ''or in the case of a pooled employer plan (as defined in section 3(43))'' after ''section 407(d)(1))''.

(3) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002) is amended—

(A) in paragraph (16)(B)—

(i) by striking ''or'' at the end of clause (ii); and

(ii) by striking the period at the end and inserting '', or (iv) in the case of a pooled employer plan, the pooled plan provider.''; and

(B) by striking the second paragraph (41).

(d) POOLED EMPLOYER AND MULTIPLE EMPLOYER PLAN REPORTING.—

(1) ADDITIONAL INFORMATION.—Section 103 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023) is amended—

(A) in subsection (a)(1)(B), by striking ''applicable subsections (d), (e), and (f)'' and inserting ''applicable subsections (d), (e), (f), and (g)''; and

(B) by amending subsection (g) to read as follows:

''(g) ADDITIONAL INFORMATION WITH RESPECT TO POOLED EMPLOYER AND MULTIPLE EMPLOYER PLANS.—An annual report under this section for a plan year shall include—

''(1) with respect to any plan to which section 210(a) applies (including a pooled employer plan), a list of employers in the plan, a good faith estimate of the percentage of total contributions made by such employers during the plan year, and the aggregate account balances attributable to each employer in the plan (determined as the sum of the account balances of the employees of such employer (and the beneficiaries of such employees)); and

''(2) with respect to a pooled employer plan, the identifying information for the person designated under the terms of the plan as the pooled plan provider.''.

(2) SIMPLIFIED ANNUAL REPORTS.—Section 104(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1024(a)) is amended by striking paragraph (2)(A) and inserting the following:

''(2)(A) With respect to annual reports required to be filed with the Secretary under this part, the Secretary may by regulation prescribe simplified annual reports for any pension plan that—

''(i) covers fewer than 100 participants; or

''(ii) is a plan described in section 210(a) that covers fewer than 1,000 participants, but only if no single employer in the plan has 100 or more participants covered by the plan.''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after December 31, 2019.

(2) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as limiting the authority of the Secretary of the Treasury or the Secretary's delegate (determined without regard to such amendments) to provide for the proper treatment of a failure to meet any requirement applicable under the Internal Revenue Code of 1986 with respect to one employer (and its employees) in a multiple employer plan.

SEC. 202. RULES RELATING TO ELECTION OF SAFE HARBOR 401(k) STATUS.

(a) LIMITATION OF ANNUAL SAFE HARBOR NOTICE TO MATCHING CONTRIBUTION PLANS.—

(1) IN GENERAL.—Section 401(k)(12)(A) is amended by striking ''if such arrangement'' and all that follows and inserting ''if such arrangement—

''(i) meets the contribution requirements of subparagraph (B) and the notice requirements of subparagraph (D), or

''(ii) meets the contribution requirements of subparagraph (C).''.

(2) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—Section 401(k)(13)(B) is amended by striking ''means'' and all that follows and inserting ''means a cash or deferred arrangement—

''(i) which is described in subparagraph (D)(i)(I) and meets the applicable requirements of subparagraphs (C) through (E), or

''(ii) which is described in subparagraph (D)(i)(II) and meets the applicable requirements of subparagraphs (C) and (D).''.

(b) NONELECTIVE CONTRIBUTIONS.—Section 401(k)(12) is amended by redesignating subparagraph (F) as subparagraph (G), and by inserting after subparagraph (E) the following new subparagraph:

''(F) TIMING OF PLAN AMENDMENT FOR EMPLOYER MAKING NONELECTIVE CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), a plan may be amended after the beginning of a plan year to provide that the requirements of subparagraph (C) shall apply to the arrangement for the plan year, but only if the amendment is adopted—

''(I) at any time before the 30th day before the close of the plan year, or

''(II) at any time before the last day under paragraph (8)(A) for distributing excess contributions for the plan year.

''(ii) EXCEPTION WHERE PLAN PROVIDED FOR MATCHING CONTRIBUTIONS.—Clause (i) shall not apply to any plan year if the plan provided at any time during the plan year that the requirements of subparagraph (B) or paragraph (13)(D)(i)(I) applied to the plan year.

''(iii) 4-PERCENT CONTRIBUTION REQUIREMENT.—Clause (i)(II) shall not apply to an arrangement unless the amount of the contributions described in subparagraph (C) which the employer is required to make under the arrangement for the plan year with respect to any employee is an amount equal to at least 4 percent of the employee's compensation.''.

(c) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—Section 401(k)(13) is amended by adding at the end the following:

''(F) TIMING OF PLAN AMENDMENT FOR EMPLOYER MAKING NONELECTIVE CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), a plan may be amended after the beginning of a plan year to provide that the requirements of subparagraph (D)(i)(II) shall apply to the arrangement for the plan year, but only if the amendment is adopted—

''(I) at any time before the 30th day before the close of the plan year, or

''(II) at any time before the last day under paragraph (8)(A) for distributing excess contributions for the plan year.

''(ii) EXCEPTION WHERE PLAN PROVIDED FOR MATCHING CONTRIBUTIONS.—Clause (i) shall not apply to any plan year if the plan provided at any time during the plan year that the requirements of subparagraph (D)(i)(I) or paragraph (12)(B) applied to the plan year.

''(iii) 4-PERCENT CONTRIBUTION REQUIREMENT.—Clause (i)(II) shall not apply to an arrangement unless the amount of the contributions described in subparagraph (D)(i)(II) which the employer is required to make under the arrangement for the plan year with respect to any employee is an amount equal to at least 4 percent of the employee's compensation.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2018.

SEC. 203. CERTAIN TAXABLE NON-TUITION FELLOWSHIP AND STIPEND PAYMENTS TREATED AS COMPENSATION FOR IRA PURPOSES.

(a) IN GENERAL.—Section 219(f)(1) is amended by adding at the end the following: ''The term 'compensation' shall include any amount included in gross income and paid to an individual to aid the individual in the pursuit of graduate or postdoctoral study.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2018.

SEC. 204. REPEAL OF MAXIMUM AGE FOR TRADITIONAL IRA CONTRIBUTIONS.

(a) IN GENERAL.—Section 219(d) is amended by striking paragraph (1).

(b) CONFORMING AMENDMENT.—Section 408A(c) is amended by striking paragraph (4) and by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made for taxable years beginning after December 31, 2018.

SEC. 205. QUALIFIED EMPLOYER PLANS PROHIBITED FROM MAKING LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.

(a) IN GENERAL.—Section 72(p)(2) is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

''(D) PROHIBITION OF LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.—Notwithstanding subparagraph (A), paragraph (1) shall apply to any loan which is made through the use of any credit card or any other similar arrangement.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to loans made after the date of the enactment of this Act.

SEC. 206. PORTABILITY OF LIFETIME INCOME INVESTMENTS.

(a) IN GENERAL.—Section 401(a) is amended by inserting after paragraph (37) the following new paragraph:

''(38) PORTABILITY OF LIFETIME INCOME INVESTMENTS.—

''(A) IN GENERAL.—Except as may be otherwise provided by regulations, a trust forming part of a defined contribution plan shall not be treated as failing to constitute a qualified trust under this section solely by reason of allowing—

''(i) qualified distributions of a lifetime income investment, or

''(ii) distributions of a lifetime income investment in the form of a qualified plan distribution annuity contract,

on or after the date that is 90 days prior to the date on which such lifetime income investment is no longer authorized to be held as an investment option under the plan.

''(B) DEFINITIONS.—For purposes of this subsection—

''(i) the term 'qualified distribution' means a direct trustee-to-trustee transfer described in paragraph (31)(A) to an eligible retirement plan (as defined in section 402(c)(8)(B)),

''(ii) the term 'lifetime income investment' means an investment option which is designed to provide an employee with election rights—

''(I) which are not uniformly available with respect to other investment options under the plan, and

''(II) which are to a lifetime income feature available through a contract or other arrangement offered under the plan (or under another eligible retirement plan (as so defined), if paid by means of a direct trustee-to-trustee transfer described in paragraph (31)(A) to such other eligible retirement plan),

''(iii) the term 'lifetime income feature' means—

''(I) a feature which guarantees a minimum level of income annually (or more frequently) for at least the remainder of the life of the employee or the joint lives of the employee and the employee's designated beneficiary, or

''(II) an annuity payable on behalf of the employee under which payments are made in substantially equal periodic payments (not less frequently than annually) over the life of the employee or the joint lives of the employee and the employee's designated beneficiary, and

''(iv) the term 'qualified plan distribution annuity contract' means an annuity contract purchased for a participant and distributed to the participant by a plan or contract described in subparagraph (B) of section 402(c)(8) (without regard to clauses (i) and (ii) thereof).''.

(b) CASH OR DEFERRED ARRANGEMENT.—

(1) IN GENERAL.—Section 401(k)(2)(B)(i) is amended by striking ''or'' at the end of subclause (IV), by striking ''and'' at the end of subclause (V) and inserting ''or'', and by adding at the end the following new subclause:

''(VI) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in subsection (a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the arrangement, and''.

(2) DISTRIBUTION REQUIREMENT.—Section 401(k)(2)(B), as amended by paragraph (1), is amended by striking ''and'' at the end of clause (i), by striking the semicolon at the end of clause (ii) and inserting '', and'', and by adding at the end the following new clause:

''(iii) except as may be otherwise provided by regulations, in the case of amounts described in clause (i)(VI), will be distributed only in the form of a qualified distribution (as defined in subsection (a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in subsection (a)(38)(B)(iv)),''.

(c) SECTION 403(b) PLANS.—

(1) ANNUITY CONTRACTS.—Section 403(b)(11) is amended by striking ''or'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', or'', and by inserting after subparagraph (C) the following new subparagraph:

''(D) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii))—

''(i) on or after the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the contract, and

''(ii) in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).''.

(2) CUSTODIAL ACCOUNTS.—Section 403(b)(7)(A) is amended by striking ''if—'' and all that follows and inserting ''if the amounts are to be invested in regulated investment company stock to be held in that custodial account, and under the custodial account—

''(i) no such amounts may be paid or made available to any distributee (unless such amount is a distribution to which section 72(t)(2)(G) applies) before—

''(I) the employee dies,

''(II) the employee attains age 59½,

''(III) the employee has a severance from employment,

''(IV) the employee becomes disabled (within the meaning of section 72(m)(7)),

''(V) in the case of contributions made pursuant to a salary reduction agreement (within the meaning of section 3121(a)(5)(D)), the employee encounters financial hardship, or

''(VI) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the contract, and

''(ii) in the case of amounts described in clause (i)(VI), such amounts will be distributed only in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).''.

(d) ELIGIBLE DEFERRED COMPENSATION PLANS.—

(1) IN GENERAL.—Section 457(d)(1)(A) is amended by striking ''or'' at the end of clause (ii), by inserting ''or'' at the end of clause (iii), and by adding after clause (iii) the following:

''(iv) except as may be otherwise provided by regulations, in the case of a plan maintained by an employer described in subsection (e)(1)(A), with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the plan,''.

(2) DISTRIBUTION REQUIREMENT.—Section 457(d)(1) is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by inserting after subparagraph (C) the following new subparagraph:

''(D) except as may be otherwise provided by regulations, in the case of amounts described in subparagraph (A)(iv), such amounts will be distributed only in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2018.

SEC. 207. TREATMENT OF CUSTODIAL ACCOUNTS ON TERMINATION OF SECTION 403(b) PLANS.

Not later than six months after the date of enactment of this Act, the Secretary of the Treasury shall issue guidance to provide that, if an employer terminates the plan under which amounts are contributed to a custodial account under subparagraph (A) of section 403(b)(7), the plan administrator or custodian may distribute an individual custodial account in kind to a participant or beneficiary of the plan and the distributed custodial account shall be maintained by the custodian on a tax-deferred basis as a section 403(b)(7) custodial account, similar to the treatment of fully-paid individual annuity contracts under Revenue Ruling 2011–7, until amounts are actually paid to the participant or beneficiary. The guidance shall provide further (i) that the section 403(b)(7) status of the distributed custodial account is generally maintained if the custodial account thereafter adheres to the requirements of section 403(b) that are in effect at the time of the distribution of the account and (ii) that a custodial account would not be considered distributed to the participant or beneficiary if the employer has any material retained rights under the account (but the employer would not be treated as retaining material rights simply because the custodial account was originally opened under a group contract).

SEC. 208. CLARIFICATION OF RETIREMENT INCOME ACCOUNT RULES RELATING TO CHURCH-CONTROLLED ORGANIZATIONS.

(a) IN GENERAL.—Section 403(b)(9)(B) is amended by inserting ''(including an employee described in section 414(e)(3)(B))'' after ''employee described in paragraph (1)''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to years beginning before, on, or after the date of the enactment of this Act.

SEC. 209. INCREASE IN 10 PERCENT CAP FOR AUTOMATIC ENROLLMENT SAFE HARBOR AFTER 1ST PLAN YEAR.

(a) IN GENERAL.—Section 401(k)(13)(C)(iii) is amended by striking ''does not exceed 10 percent'' and inserting ''does not exceed 15 percent (10 percent during the period described in subclause (I))''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2018.

SEC. 210. INCREASE IN CREDIT LIMITATION FOR SMALL EMPLOYER PENSION PLAN STARTUP COSTS.

(a) IN GENERAL.—Paragraph (1) of section 45E(b) is amended to read as follows:

''(1) for the first credit year and each of the 2 taxable years immediately following the first credit year, the greater of—

''(A) $500, or

''(B) the lesser of—

''(i) $250 for each employee of the eligible employer who is not a highly compensated employee (as defined in section 414(q)) and who is eligible to participate in the eligible employer plan maintained by the eligible employer, or

''(ii) $1,500, and''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2018.

SEC. 211. SMALL EMPLOYER AUTOMATIC ENROLLMENT CREDIT.

(a) IN GENERAL.—Section 45E is amended by adding at the end the following new subsection:''.

''(f) CREDIT FOR AUTO-ENROLLMENT OPTION FOR RETIREMENT SAVINGS OPTIONS.—

''(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year during an eligible employer's retirement auto-enrollment credit period shall be increased (without regard to subsection (b)) by $500.

''(2) RETIREMENT AUTO-ENROLLMENT CREDIT PERIOD.—

''(A) IN GENERAL.—The retirement auto-enrollment credit period with respect to any eligible employer is the 3-taxable-year period beginning with the first taxable year for which the employer includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) in a qualified employer plan (as defined in section 4972(d)) sponsored by the employer.

''(B) MAINTENANCE OF ARRANGEMENT.—No taxable year with respect to an employer shall be treated as occurring within the retirement auto-enrollment credit period unless the arrangement described in subparagraph (A) is included in the plan for such year.

''(3) NOT LIMITED TO NEW PLANS.—This subsection shall be applied without regard to subsection (c)(2).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

SEC. 212. EXEMPTION FROM REQUIRED MINIMUM DISTRIBUTION RULES FOR INDIVIDUALS WITH CERTAIN ACCOUNT BALANCES.

(a) IN GENERAL.—Section 401(a)(9) is amended by adding at the end the following new subparagraph:

''(H) EXCEPTION FROM REQUIRED MINIMUM DISTRIBUTIONS DURING LIFE OF EMPLOYEE WHERE ASSETS DO NOT EXCEED $50,000.—

''(i) IN GENERAL.—If on the last day of any calendar year the aggregate value of an employee's entire interest under all applicable eligible retirement plans does not exceed $50,000, then the requirements of subparagraph (A) with respect to any distribution relating to such year shall not apply with respect to such employee.

''(ii) APPLICABLE ELIGIBLE RETIREMENT PLAN.—For purposes of this subparagraph, the term 'applicable eligible retirement plan' means an eligible retirement plan (as defined in section 402(c)(8)(B)) other than a defined benefit plan.

''(iii) LIMIT ON REQUIRED MINIMUM DISTRIBUTION.—The required minimum distribution determined under subparagraph (A) for an employee under all applicable eligible retirement plans shall not exceed an amount equal to the excess of—

''(I) the aggregate value of an employee's entire interest under such plans on the last day of the calendar year to which such distribution relates, over

''(II) the dollar amount in effect under clause (i) for such calendar year.

The Secretary in regulations or other guidance may provide how such amount shall be distributed in the case of an individual with more than one applicable eligible retirement plan.

''(iv) INFLATION ADJUSTMENT.—In the case of any calendar year beginning after 2019, the $50,000 amount in clause (i) shall be increased by an amount equal to—

''(I) such dollar amount, multiplied by

''(II) the cost of living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2018' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

Any increase determined under this clause shall be rounded to the next lowest multiple of $5,000.

''(v) PLAN ADMINISTRATOR RELIANCE ON EMPLOYEE CERTIFICATION.—An applicable eligible retirement plan described in clause (iii), (iv), (v), or (vi) of section 402(c)(8)(B) shall not be treated as failing to meet the requirements of this paragraph in the case of any failure to make a required minimum distribution for a calendar year if—

''(I) the aggregate value of an employee's entire interest under all applicable eligible retirement plans of the employer on the last day of

the calendar year to which such distribution relates does not exceed the dollar amount in effect for such year under clause (i), and

''(II) the employee certifies that the aggregate value of the employee's entire interest under all applicable eligible retirement plans on the last day of the calendar year to which such distribution relates did not exceed the dollar amount in effect for such year under clause (i).

''(vi) AGGREGATION RULE.—All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of clause (v).''.

(b) PLAN ADMINISTRATOR REPORTING.—Section 6047 is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) ACCOUNT BALANCE FOR PARTICIPANTS WHO HAVE ATTAINED AGE 69.—

''(1) IN GENERAL.—Not later than January 31 of each year, the plan administrator (as defined in section 414(g)) of each applicable eligible retirement plan (as defined in section 401(a)(9)(H)) shall make a return to the Secretary with respect to each participant of such plan who has attained age 69 as of the end of the preceding calendar year which states—

''(A) the name and plan number of the plan,

''(B) the name and address of the plan administrator,

''(C) the name, address, and taxpayer identification number of the participant, and

''(D) the account balance of such participant as of the end of the preceding calendar year.

''(2) STATEMENT FURNISHED TO PARTICIPANT.—Every person required to make a return under paragraph (1) with respect to a participant shall furnish a copy of such return to such participant.

''(3) APPLICATION TO INDIVIDUAL RETIREMENT PLANS AND ANNUITIES.—In the case of an applicable eligible retirement plan described in clause (i) or (ii) of section 402(c)(8)(B)—

''(A) any reference in this subsection to the plan administrator shall be treated as a reference to the trustee or issuer, as the case may be, and

''(B) any reference in this subsection to the participant shall be treated as a reference to the individual for whom such account or annuity is maintained.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions required to be made in calendar years beginning more than 120 days after the date of the enactment of this Act.

SEC. 213. ELECTIVE DEFERRALS BY MEMBERS OF THE READY RESERVE OF A RESERVE COMPONENT OF THE ARMED FORCES.

(a) IN GENERAL.—Section 402(g) is amended by adding at the end the following new paragraph:

''(9) ELECTIVE DEFERRALS BY MEMBERS OF READY RESERVE.—

''(A) IN GENERAL.—In the case of a qualified ready reservist for any taxable year, the limitations of subparagraphs (A) and (C) of paragraph (1) shall be applied separately with respect to—

''(i) elective deferrals of such qualified ready reservist with respect to compensation described in subparagraph (B), and

''(ii) all other elective deferrals of such qualified ready reservist.

''(B) QUALIFIED READY RESERVIST.—For purposes of this paragraph, the term 'qualified ready reservist' means any individual for any taxable year if such individual received compensation for service as a member of the Ready Reserve of a reserve component (as defined in section 101 of title 37, United States Code) during such taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2018.

Subtitle B—Administrative Improvements

SEC. 221. PLAN ADOPTED BY FILING DUE DATE FOR YEAR MAY BE TREATED AS IN EFFECT AS OF CLOSE OF YEAR.

(a) IN GENERAL.—Section 401(b) is amended—

(1) by striking ''RETROACTIVE CHANGES IN PLAN.—A stock bonus'' and inserting ''PLAN AMENDMENTS.—

''(1) CERTAIN RETROACTIVE CHANGES IN PLAN.—A stock bonus'', and

(2) by adding at the end the following new paragraph:

''(2) ADOPTION OF PLAN.—If an employer adopts a stock bonus, pension, profit-sharing, or annuity plan after the close of a taxable year but before the time prescribed by law for filing the employer's return of tax for the taxable year (including extensions thereof), the employer may elect to treat the plan as having been adopted as of the last day of the taxable year.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plans adopted for taxable years beginning after December 31, 2018.

SEC. 222. MODIFICATION OF NONDISCRIMINATION RULES TO PROTECT OLDER, LONGER SERVICE PARTICIPANTS.

(a) IN GENERAL.—Section 401 is amended—

(1) by redesignating subsection (o) as subsection (p), and

(2) by inserting after subsection (n) the following new subsection:

''(o) SPECIAL RULES FOR APPLYING NONDISCRIMINATION RULES TO PROTECT OLDER, LONGER SERVICE AND GRANDFATHERED PARTICIPANTS.—

''(1) TESTING OF DEFINED BENEFIT PLANS WITH CLOSED CLASSES OF PARTICIPANTS.—

''(A) BENEFITS, RIGHTS, OR FEATURES PROVIDED TO CLOSED CLASSES.—A defined benefit plan which provides benefits, rights, or features to a closed class of participants shall not fail to satisfy the requirements of subsection (a)(4) by reason of the composition of such closed class or the benefits, rights, or features provided to such closed class, if—

''(i) for the plan year as of which the class closes and the 2 succeeding plan years, such benefits, rights, and features satisfy the requirements of subsection (a)(4) (without regard to this subparagraph but taking into account the rules of subparagraph (I)),

''(ii) after the date as of which the class was closed, any plan amendment which modifies the closed class or the benefits, rights, and features provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

''(iii) the class was closed before April 5, 2017, or the plan is described in subparagraph (C).

''(B) AGGREGATE TESTING WITH DEFINED CONTRIBUTION PLANS PERMITTED ON A BENEFITS BASIS.—

''(i) IN GENERAL.—For purposes of determining compliance with subsection (a)(4) and section 410(b), a defined benefit plan described in clause (iii) may be aggregated and tested on a benefits basis with 1 or more defined contribution plans, including with the portion of 1 or more defined contribution plans which—

''(I) provides matching contributions (as defined in subsection (m)(4)(A)),

''(II) provides annuity contracts described in section 403(b) which are purchased with matching contributions or nonelective contributions, or

''(III) consists of an employee stock ownership plan (within the meaning of section 4975(e)(7)) or a tax credit employee stock ownership plan (within the meaning of section 409(a)).

''(ii) SPECIAL RULES FOR MATCHING CONTRIBUTIONS.—For purposes of clause (i), if a defined benefit plan is aggregated with a portion of a defined contribution plan providing matching contributions—

''(I) such defined benefit plan must also be aggregated with any portion of such defined contribution plan which provides elective deferrals described in subparagraph (A) or (C) of section 402(g)(3), and

''(II) such matching contributions shall be treated in the same manner as nonelective contributions, including for purposes of applying the rules of subsection (l).

''(iii) PLANS DESCRIBED.—A defined benefit plan is described in this clause if—

''(I) the plan provides benefits to a closed class of participants,

''(II) for the plan year as of which the class closes and the 2 succeeding plan years, the plan satisfies the requirements of section 410(b) and subsection (a)(4) (without regard to this subparagraph but taking into account the rules of subparagraph (I)),

''(III) after the date as of which the class was closed, any plan amendment which modifies the closed class or the benefits provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

''(IV) the class was closed before April 5, 2017, or the plan is described in subparagraph (C).

''(C) PLANS DESCRIBED.—A plan is described in this subparagraph if, taking into account any predecessor plan—

''(i) such plan has been in effect for at least 5 years as of the date the class is closed, and

''(ii) during the 5-year period preceding the date the class is closed, there has not been a substantial increase in the coverage or value of the benefits, rights, or features described in subparagraph (A) or in the coverage or benefits under the plan described in subparagraph (B)(iii) (whichever is applicable).

''(D) DETERMINATION OF SUBSTANTIAL INCREASE FOR BENEFITS, RIGHTS, AND FEATURES.—In applying subparagraph (C)(ii) for purposes of subparagraph (A)(iii), a plan shall be treated as having had a substantial increase in coverage or value of the benefits, rights, or features described in subparagraph (A) during the applicable 5-year period only if, during such period—

''(i) the number of participants covered by such benefits, rights, or features on the date such period ends is more than 50 percent greater than the number of such participants on the first day of the plan year in which such period began, or

''(ii) such benefits, rights, and features have been modified by 1 or more plan amendments in such a way that, as of the date the class is closed, the value of such benefits, rights, and features to the closed class as a whole is substantially greater than the value as of the first day of such 5-year period, solely as a result of such amendments.

''(E) DETERMINATION OF SUBSTANTIAL INCREASE FOR AGGREGATE TESTING ON BENEFITS BASIS.—In applying subparagraph (C)(ii) for purposes of subparagraph (B)(iii)(IV), a plan shall be treated as having had a substantial increase in coverage or benefits during the applicable 5-year period only if, during such period—

''(i) the number of participants benefitting under the plan on the date such period ends is more than 50 percent greater than the number of such participants on the first day of the plan year in which such period began, or

''(ii) the average benefit provided to such participants on the date such period ends is more than 50 percent greater than the average benefit provided on the first day of the plan year in which such period began.

''(F) CERTAIN EMPLOYEES DISREGARDED.—For purposes of subparagraphs (D) and (E), any increase in coverage or value or in coverage or benefits, whichever is applicable, which is attributable to such coverage and value or coverage and benefits provided to employees—

''(i) who became participants as a result of a merger, acquisition, or similar event which occurred during the 7-year period preceding the date the class is closed, or

''(ii) who became participants by reason of a merger of the plan with another plan which had been in effect for at least 5 years as of the date of the merger,

shall be disregarded, except that clause (ii) shall apply for purposes of subparagraph (D) only if, under the merger, the benefits, rights, or features under 1 plan are conformed to the benefits, rights, or features of the other plan prospectively.

''(G) RULES RELATING TO AVERAGE BENEFIT.—For purposes of subparagraph (E)—

''(i) the average benefit provided to participants under the plan will be treated as having remained the same between the 2 dates described in subparagraph (E)(ii) if the benefit formula applicable to such participants has not changed between such dates, and

''(ii) if the benefit formula applicable to 1 or more participants under the plan has changed between such 2 dates, then the average benefit under the plan shall be considered to have increased by more than 50 percent only if—

''(I) the total amount determined under section 430(b)(1)(A)(i) for all participants benefitting under the plan for the plan year in which the 5-year period described in subparagraph (E) ends, exceeds

''(II) the total amount determined under section 430(b)(1)(A)(i) for all such participants for such plan year, by using the benefit formula in effect for each such participant for the first plan year in such 5-year period, by more than 50 percent.

In the case of a CSEC plan (as defined in section 414(y)), the normal cost of the plan (as determined under section 433(j)(1)(B)) shall be used in lieu of the amount determined under section 430(b)(1)(A)(i).

''(H) TREATMENT AS SINGLE PLAN.—For purposes of subparagraphs (E) and (G), a plan described in section 413(c) shall be treated as a single plan rather than as separate plans maintained by each employer in the plan.

''(I) SPECIAL RULES.—For purposes of subparagraphs (A)(i) and (B)(iii)(II), the following rules shall apply:

''(i) In applying section 410(b)(6)(C), the closing of the class of participants shall not be treated as a significant change in coverage under section 410(b)(6)(C)(i)(II).

''(ii) 2 or more plans shall not fail to be eligible to be aggregated and treated as a single plan solely by reason of having different plan years.

''(iii) Changes in the employee population shall be disregarded to the extent attributable to individuals who become employees or cease to be employees, after the date the class is closed, by reason of a merger, acquisition, divestiture, or similar event.

''(iv) Aggregation and all other testing methodologies otherwise applicable under subsection (a)(4) and section 410(b) may be taken into account.

The rule of clause (ii) shall also apply for purposes of determining whether plans to which subparagraph (B)(i) applies may be aggregated and treated as 1 plan for purposes of determining whether such plans meet the requirements of subsection (a)(4) and section 410(b).

''(J) SPUN-OFF PLANS.—For purposes of this paragraph, if a portion of a defined benefit plan described in subparagraph (A) or (B)(iii) is spun off to another employer and the spun-off plan continues to satisfy the requirements of—

''(i) subparagraph (A)(i) or (B)(iii)(II), whichever is applicable, if the original plan was still within the 3-year period described in such subparagraph at the time of the spin off, and

''(ii) subparagraph (A)(ii) or (B)(iii)(III), whichever is applicable,

the treatment under subparagraph (A) or (B) of the spun-off plan shall continue with respect to such other employer.

''(2) TESTING OF DEFINED CONTRIBUTION PLANS.—

''(A) TESTING ON A BENEFITS BASIS.—A defined contribution plan shall be permitted to be tested on a benefits basis if—

''(i) such defined contribution plan provides make-whole contributions to a closed class of participants whose accruals under a defined benefit plan have been reduced or eliminated,

''(ii) for the plan year of the defined contribution plan as of which the class eligible to receive such make-whole contributions closes and the 2 succeeding plan years, such closed class of participants satisfies the requirements of section 410(b)(2)(A)(i) (determined by applying the rules of paragraph (1)(I)),

''(iii) after the date as of which the class was closed, any plan amendment to the defined contribution plan which modifies the closed class or the allocations, benefits, rights, and features provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

''(iv) the class was closed before April 5, 2017, or the defined benefit plan under clause (i) is described in paragraph (1)(C) (as applied for purposes of paragraph (1)(B)(iii)(IV)).

''(B) AGGREGATION WITH PLANS INCLUDING MATCHING CONTRIBUTIONS.—

''(i) IN GENERAL.—With respect to 1 or more defined contribution plans described in subparagraph (A), for purposes of determining compliance with subsection (a)(4) and section 410(b), the portion of such plans which provides make-whole contributions or other nonelective contributions may be aggregated and tested on a benefits basis with the portion of 1 or more other defined contribution plans which—

''(I) provides matching contributions (as defined in subsection (m)(4)(A)),

''(II) provides annuity contracts described in section 403(b) which are purchased with matching contributions or nonelective contributions, or

''(III) consists of an employee stock ownership plan (within the meaning of section 4975(e)(7)) or a tax credit employee stock ownership plan (within the meaning of section 409(a)).

''(ii) SPECIAL RULES FOR MATCHING CONTRIBUTIONS.—Rules similar to the rules of paragraph (1)(B)(ii) shall apply for purposes of clause (i).

''(C) SPECIAL RULES FOR TESTING DEFINED CONTRIBUTION PLAN FEATURES PROVIDING MATCHING CONTRIBUTIONS TO CERTAIN OLDER, LONGER SERVICE PARTICIPANTS.—In the case of a defined contribution plan which provides benefits, rights, or features to a closed class of participants whose accruals under a defined benefit plan have been reduced or eliminated, the plan shall not fail to satisfy the requirements of subsection (a)(4) solely by reason of the composition of the closed class or the benefits, rights, or features provided to such closed class if the defined contribution plan and defined benefit plan otherwise meet the requirements of subparagraph (A) but for the fact that the make-whole contributions under the defined contribution plan are made in whole or in part through matching contributions.

''(D) SPUN-OFF PLANS.—For purposes of this paragraph, if a portion of a defined contribution plan described in subparagraph (A) or (C) is spun off to another employer, the treatment under subparagraph (A) or (C) of the spun-off plan shall continue with respect to the other employer if such plan continues to comply with the requirements of clauses (ii) (if the original plan was still within the 3-year period described in such clause at the time of the spin off) and (iii) of subparagraph (A), as determined for purposes of subparagraph (A) or (C), whichever is applicable.

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) MAKE-WHOLE CONTRIBUTIONS.—Except as otherwise provided in paragraph (2)(C), the term 'make-whole contributions' means nonelective allocations for each employee in the class which are reasonably calculated, in a consistent manner, to replace some or all of the retirement benefits which the employee would have received under the defined benefit plan and any other plan or qualified cash or deferred arrangement under subsection (k)(2) if no change had been made to such defined benefit plan and such other plan or arrangement. For purposes of the preceding sentence, consistency shall not be required with respect to employees who were subject to different benefit formulas under the defined benefit plan.

''(B) REFERENCES TO CLOSED CLASS OF PARTICIPANTS.—References to a closed class of participants and similar references to a closed class shall include arrangements under which 1 or more classes of participants are closed, except that 1 or more classes of participants closed on different dates shall not be aggregated for purposes of determining the date any such class was closed.

''(C) HIGHLY COMPENSATED EMPLOYEE.—The term 'highly compensated employee' has the meaning given such term in section 414(q).''.

(b) PARTICIPATION REQUIREMENTS.—Section 401(a)(26) is amended by adding at the end the following new subparagraph:

''(I) PROTECTED PARTICIPANTS.—

''(i) IN GENERAL.—A plan shall be deemed to satisfy the requirements of subparagraph (A) if—

''(I) the plan is amended—

''(aa) to cease all benefit accruals, or

''(bb) to provide future benefit accruals only to a closed class of participants,

''(II) the plan satisfies subparagraph (A) (without regard to this subparagraph) as of the effective date of the amendment, and

''(III) the amendment was adopted before April 5, 2017, or the plan is described in clause (ii).

''(ii) PLANS DESCRIBED.—A plan is described in this clause if the plan would be described in subsection (o)(1)(C), as applied for purposes of subsection (o)(1)(B)(iii)(IV) and by treating the effective date of the amendment as the date the class was closed for purposes of subsection (o)(1)(C).

''(iii) SPECIAL RULES.—For purposes of clause (i)(II), in applying section 410(b)(6)(C), the amendments described in clause (i) shall not be treated as a significant change in coverage under section 410(b)(6)(C)(i)(II).

''(iv) SPUN-OFF PLANS.—For purposes of this subparagraph, if a portion of a plan described in clause (i) is spun off to another employer, the treatment under clause (i) of the spun-off plan shall continue with respect to the other employer.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act, without regard to whether any plan modifications referred to in such amendments are adopted or effective before, on, or after such date of enactment.

(2) SPECIAL RULES.—

(A) ELECTION OF EARLIER APPLICATION.—At the election of the plan sponsor, the amendments made by this section shall apply to plan years beginning after December 31, 2013.

(B) CLOSED CLASSES OF PARTICIPANTS.—For purposes of paragraphs (1)(A)(iii), (1)(B)(iii)(IV), and (2)(A)(iv) of section 401(o) of the Internal Revenue Code of 1986 (as added by this section), a closed class of participants shall be treated as being closed before April 5, 2017, if the plan sponsor's intention to create such closed class is reflected in formal written documents and communicated to participants before such date.

(C) CERTAIN POST-ENACTMENT PLAN AMENDMENTS.—A plan shall not be treated as failing to be eligible for the application of section 401(o)(1)(A), 401(o)(1)(B)(iii), or 401(a)(26) of such Code (as added by this section) to such plan solely because in the case of—

(i) such section 401(o)(1)(A), the plan was amended before the date of the enactment of this Act to eliminate 1 or more benefits, rights, or features, and is further amended after such date of enactment to provide such previously eliminated benefits, rights, or features to a closed class of participants, or

(ii) such section 401(o)(1)(B)(iii) or section 401(a)(26), the plan was amended before the date of the enactment of this Act to cease all benefit accruals, and is further amended after such date of enactment to provide benefit accruals to a closed class of participants. Any such section shall only apply if the plan otherwise

meets the requirements of such section and in applying such section, the date the class of participants is closed shall be the effective date of the later amendment.

SEC. 223. FIDUCIARY SAFE HARBOR FOR SELECTION OF LIFETIME INCOME PROVIDER.

Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following:

''(e) SAFE HARBOR FOR ANNUITY SELECTION.—

''(1) IN GENERAL.—With respect to the selection of an insurer for a guaranteed retirement income contract, the requirements of subsection (a)(1)(B) will be deemed to be satisfied if a fiduciary—

''(A) engages in an objective, thorough, and analytical search for the purpose of identifying insurers from which to purchase such contracts;

''(B) with respect to each insurer identified under subparagraph (A)—

''(i) considers the financial capability of such insurer to satisfy its obligations under the guaranteed retirement income contract; and

''(ii) considers the cost (including fees and commissions) of the guaranteed retirement income contract offered by the insurer in relation to the benefits and product features of the contract and administrative services to be provided under such contract; and

''(C) on the basis of such consideration, concludes that—

''(i) at the time of the selection, the insurer is financially capable of satisfying its obligations under the guaranteed retirement income contract; and

''(ii) the relative cost of the selected guaranteed retirement income contract as described in subparagraph (B)(ii) is reasonable.

''(2) FINANCIAL CAPABILITY OF THE INSURER.—A fiduciary will be deemed to satisfy the requirements of paragraphs (1)(B)(i) and (1)(C)(i) if—

''(A) the fiduciary obtains written representations from the insurer that—

''(i) the insurer is licensed to offer guaranteed retirement income contracts;

''(ii) the insurer, at the time of selection and for each of the immediately preceding 7 plan years—

''(I) operates under a certificate of authority from the insurance commissioner of its domiciliary State which has not been revoked or suspended;

''(II) has filed audited financial statements in accordance with the laws of its domiciliary State under applicable statutory accounting principles;

''(III) maintains (and has maintained) reserves which satisfies all the statutory requirements of all States where the insurer does business; and

''(IV) is not operating under an order of supervision, rehabilitation, or liquidation;

''(iii) the insurer undergoes, at least every 5 years, a financial examination (within the meaning of the law of its domiciliary State) by the insurance commissioner of the domiciliary State (or representative, designee, or other party approved by such commissioner); and

''(iv) the insurer will notify the fiduciary of any change in circumstances occurring after the provision of the representations in clauses (i), (ii), and (iii) which would preclude the insurer from making such representations at the time of issuance of the guaranteed retirement income contract; and

''(B) after receiving such representations and as of the time of selection, the fiduciary has not received any notice described in subparagraph (A)(iv) and is in possession of no other information which would cause the fiduciary to question the representations provided.

''(3) NO REQUIREMENT TO SELECT LOWEST COST.—Nothing in this subsection shall be construed to require a fiduciary to select the lowest cost contract. A fiduciary may consider the value of a contract, including features and benefits of the contract and attributes of the insurer (including, without limitation, the insurer's financial strength) in conjunction with the cost of the contract.

''(4) TIME OF SELECTION.—

''(A) IN GENERAL.—For purposes of this subsection, the time of selection is—

''(i) the time that the insurer and the contract are selected for distribution of benefits to a specific participant or beneficiary; or

''(ii) if the fiduciary periodically reviews the continuing appropriateness of the conclusion described in paragraph (1)(C) with respect to a selected insurer, taking into account the considerations described in such paragraph, the time that the insurer and the contract are selected to provide benefits at future dates to participants or beneficiaries under the plan.

Nothing in the preceding sentence shall be construed to require the fiduciary to review the appropriateness of a selection after the purchase of a contract for a participant or beneficiary.

''(B) PERIODIC REVIEW.—A fiduciary will be deemed to have conducted the periodic review described in subparagraph (A)(ii) if the fiduciary obtains the written representations described in clauses (i), (ii), and (iii) of paragraph (2)(A) from the insurer on an annual basis, unless the fiduciary receives any notice described in paragraph (2)(A)(iv) or otherwise becomes aware of facts that would cause the fiduciary to question such representations.

''(5) LIMITED LIABILITY.—A fiduciary which satisfies the requirements of this subsection shall not be liable following the distribution of any benefit, or the investment by or on behalf of a participant or beneficiary pursuant to the selected guaranteed retirement income contract, for any losses that may result to the participant or beneficiary due to an insurer's inability to satisfy its financial obligations under the terms of such contract.

''(6) DEFINITIONS.—For purposes of this subsection—

''(A) INSURER.—The term 'insurer' means an insurance company, insurance service, or insurance organization, including affiliates of such companies.

''(B) GUARANTEED RETIREMENT INCOME CONTRACT.—The term 'guaranteed retirement income contract' means an annuity contract for a fixed term or a contract (or provision or feature thereof) which provides guaranteed benefits annually (or more frequently) for at least the remainder of the life of the participant or the joint lives of the participant and the participant's designated beneficiary as part of an individual account plan.''.

SEC. 224. DISCLOSURE REGARDING LIFETIME INCOME.

(a) IN GENERAL.—Subparagraph (B) of section 105(a)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025(a)(2)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking ''diversification.'' and inserting ''diversification, and''; and

(3) by inserting at the end the following:

''(iii) the lifetime income disclosure described in subparagraph (D)(i).

In the case of pension benefit statements described in clause (i) of paragraph (1)(A), a lifetime income disclosure under clause (iii) of this subparagraph shall be required to be included in only one pension benefit statement during any one 12-month period.''.

(b) LIFETIME INCOME.—Paragraph (2) of section 105(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025(a)) is amended by adding at the end the following new subparagraph:

''(D) LIFETIME INCOME DISCLOSURE.—

''(i) IN GENERAL.—

''(I) DISCLOSURE.—A lifetime income disclosure shall set forth the lifetime income stream equivalent of the total benefits accrued with respect to the participant or beneficiary.

''(II) LIFETIME INCOME STREAM EQUIVALENT OF THE TOTAL BENEFITS ACCRUED.—For purposes of this subparagraph, the term 'lifetime income stream equivalent of the total benefits accrued' means the amount of monthly payments the participant or beneficiary would receive if the total accrued benefits of such participant or beneficiary were used to provide lifetime income streams described in subclause (III), based on assumptions specified in rules prescribed by the Secretary.

''(III) LIFETIME INCOME STREAMS.—The lifetime income streams described in this subclause are a qualified joint and survivor annuity (as defined in section 205(d)), based on assumptions specified in rules prescribed by the Secretary, including the assumption that the participant or beneficiary has a spouse of equal age, and a single life annuity. Such lifetime income streams may have a term certain or other features to the extent permitted under rules prescribed by the Secretary.

''(ii) MODEL DISCLOSURE.—Not later than 1 year after the date of the enactment of the Retirement, Savings, and Other Tax Relief Act of 2018, the Secretary shall issue a model lifetime income disclosure, written in a manner so as to be understood by the average plan participant, which—

''(I) explains that the lifetime income stream equivalent is only provided as an illustration;

''(II) explains that the actual payments under the lifetime income stream described in clause (i)(III) which may be purchased with the total benefits accrued will depend on numerous factors and may vary substantially from the lifetime income stream equivalent in the disclosures;

''(III) explains the assumptions upon which the lifetime income stream equivalent was determined; and

''(IV) provides such other similar explanations as the Secretary considers appropriate.

''(iii) ASSUMPTIONS AND RULES.—Not later than 1 year after the date of the enactment of the Retirement, Savings, and Other Tax Relief Act of 2018, the Secretary shall—

''(I) prescribe assumptions which administrators of individual account plans may use in converting total accrued benefits into lifetime income stream equivalents for purposes of this subparagraph; and

''(II) issue interim final rules under clause (i).

In prescribing assumptions under subclause (I), the Secretary may prescribe a single set of specific assumptions (in which case the Secretary may issue tables or factors which facilitate such conversions), or ranges of permissible assumptions. To the extent that an accrued benefit is or may be invested in a lifetime income stream described in clause (i)(III), the assumptions prescribed under subclause (I) shall, to the extent appropriate, permit administrators of individual account plans to use the amounts payable under such lifetime income stream as a lifetime income stream equivalent.

''(iv) LIMITATION ON LIABILITY.—No plan fiduciary, plan sponsor, or other person shall have any liability under this title solely by reason of the provision of lifetime income stream equivalents which are derived in accordance with the assumptions and rules described in clause (iii) and which include the explanations contained in the model lifetime income disclosure described in clause (ii). This clause shall apply without regard to whether the provision of such lifetime income stream equivalent is required by subparagraph (B)(iii).

''(v) EFFECTIVE DATE.—The requirement in subparagraph (B)(iii) shall apply to pension benefit statements furnished more than 12 months after the latest of the issuance by the Secretary of—

''(I) interim final rules under clause (i);

''(II) the model disclosure under clause (ii); or

''(III) the assumptions under clause (iii).''.

SEC. 225. MODIFICATION OF PBGC PREMIUMS FOR CSEC PLANS.

(a) FLAT RATE PREMIUM.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement

Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—

(1) in clause (i), by striking ''plan,'' and inserting ''plan other than a CSEC plan (as defined in section 210(f)(1))'';

(2) in clause (v), by striking ''or'' at the end;

(3) in clause (vi), by striking the period at the end and inserting '', or''; and

(4) by adding at the end the following new clause:

''(vii) in the case of a CSEC plan (as defined in section 210(f)(1)), for plan years beginning after December 31, 2018, for each individual who is a participant in such plan during the plan year an amount equal to the sum of—

''(I) the additional premium (if any) determined under subparagraph (E), and

''(II) $19.''.

(b) VARIABLE RATE PREMIUM.—

(1) UNFUNDED VESTED BENEFITS.—

(A) IN GENERAL.—Subparagraph (E) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new clause:

''(v) For purposes of clause (ii), in the case of a CSEC plan (as defined in section 210(f)(1)), the term 'unfunded vested benefits' means, for plan years beginning after December 31, 2018, the excess (if any) of—

''(I) the funding liability of the plan as determined under section 306(j)(5)(C) for the plan year by only taking into account vested benefits, over

''(II) the fair market value of plan assets for the plan year which are held by the plan on the valuation date.''.

(B) CONFORMING AMENDMENT.—Clause (iii) of section 4006(a)(3)(E) of such Act (29 U.S.C. 1306(a)(3)(E)) is amended by striking ''For purposes'' and inserting ''Except as provided in clause (v), for purposes''.

(2) APPLICABLE DOLLAR AMOUNT.—

(A) IN GENERAL.—Paragraph (8) of section 4006(a) of such Act (29 U.S.C. 1306(a)) is amended by adding at the end the following new subparagraph:

''(E) CSEC PLANS.—In the case of a CSEC plan (as defined in section 210(f)(1)), the applicable dollar amount shall be $9.''.

(B) CONFORMING AMENDMENT.—Subparagraph (A) of section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended by striking ''(B) and (C)'' and inserting ''(B), (C), and (E)''.

Subtitle C—Other Savings Provisions

SEC. 231. EXPANSION OF SECTION 529 PLANS.

(a) DISTRIBUTIONS FOR CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—Section 529(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(8) TREATMENT OF CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—Any reference in this subsection to the term 'qualified higher education expense' shall include a reference to expenses for fees, books, supplies, and equipment required for the participation of a designated beneficiary in an apprenticeship program registered and certified with the Secretary of Labor under section 1 of the National Apprenticeship Act (29 U.S.C. 50).''.

(b) DISTRIBUTIONS FOR CERTAIN HOMESCHOOLING EXPENSES.—Section 529(c)(7) of such Code is amended by striking ''include a reference to'' and all that follows and inserting ''include a reference to—

''(A) expenses for tuition in connection with enrollment or attendance of a designated beneficiary at an elementary or secondary public, private, or religious school, and

''(B) expenses, with respect to a designated beneficiary, for—

''(i) curriculum and curricular materials,

''(ii) books or other instructional materials,

''(iii) online educational materials,

''(iv) tuition for tutoring or educational classes outside of the home (but only if the tutor or class instructor is not related (within the meaning of section 152(d)(2)) to the student),

''(v) dual enrollment in an institution of higher education, and

''(vi) educational therapies for students with disabilities,

in connection with a homeschool (whether treated as a homeschool or a private school for purposes of applicable State law).''.

(c) DISTRIBUTIONS FOR QUALIFIED EDUCATION LOAN REPAYMENTS.—

(1) IN GENERAL.—Section 529(c) of such Code, as amended by subsection (a), is amended by adding at the end the following new paragraph:

''(9) TREATMENT OF QUALIFIED EDUCATION LOAN REPAYMENTS.—

''(A) IN GENERAL.—Any reference in this subsection to the term 'qualified higher education expense' shall include a reference to amounts paid as principal or interest on any qualified education loan (as defined in section 221(d)) of the designated beneficiary or a sibling of the designated beneficiary.

''(B) LIMITATION.—The amount of distributions treated as a qualified higher education expense under this paragraph with respect to the loans of any individual shall not exceed $10,000 (reduced by the amount of distributions so treated for all prior taxable years).

''(C) SPECIAL RULES FOR SIBLINGS OF THE DESIGNATED BENEFICIARY.—

''(i) SEPARATE ACCOUNTING.—For purposes of subparagraph (B) and subsection (d), amounts treated as a qualified higher education expense with respect to the loans of a sibling of the designated beneficiary shall be taken into account with respect to such sibling and not with respect to such designated beneficiary.

''(ii) SIBLING DEFINED.—For purposes of this paragraph, the term 'sibling' means an individual who bears a relationship to the designated beneficiary which is described in section 152(d)(2)(B).''.

(2) COORDINATION WITH DEDUCTION FOR STUDENT LOAN INTEREST.—Section 221(e)(1) of such Code is amended by adding at the end the following: ''The deduction otherwise allowable under subsection (a) (prior to the application of subsection (b)) to the taxpayer for any taxable year shall be reduced (but not below zero) by so much of the distributions treated as a qualified higher education expense under section 529(c)(9) with respect to loans of the taxpayer as would be includible in gross income under section 529(c)(3)(A) for such taxable year but for such treatment.''.

(d) DISTRIBUTIONS FOR CERTAIN ELEMENTARY AND SECONDARY SCHOOL EXPENSES IN ADDITION TO TUITION.—Section 529(c)(7)(A), as amended by subsection (b), is amended to read as follows:

''(A) expenses described in section 530(b)(3)(A)(i) in connection with enrollment or attendance of a designated beneficiary at an elementary or secondary public, private, or religious school, and''.

(e) UNBORN CHILDREN ALLOWED AS ACCOUNT BENEFICIARIES.—Section 529(e) is amended by adding at the end the following new paragraph:

''(6) TREATMENT OF UNBORN CHILDREN.—

''(A) IN GENERAL.—Nothing shall prevent an unborn child from being treated as a designated beneficiary or an individual under this section.

''(B) UNBORN CHILD.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'unborn child' means a child in utero.

''(ii) CHILD IN UTERO.—The term 'child in utero' means a member of the species homo sapiens, at any stage of development, who is carried in the womb.''.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to distributions made after December 31, 2018.

(2) UNBORN CHILDREN ALLOWED AS ACCOUNT BENEFICIARIES.—The amendment made by subsection (e) shall apply to contributions made after December 31, 2018.

SEC. 232. PENALTY-FREE WITHDRAWALS FROM RETIREMENT PLANS FOR INDIVIDUALS IN CASE OF BIRTH OF CHILD OR ADOPTION.

(a) IN GENERAL.—Section 72(t)(2) is amended by adding at the end the following new subparagraph:

''(H) DISTRIBUTIONS FROM RETIREMENT PLANS IN CASE OF BIRTH OF CHILD OR ADOPTION.—

''(i) IN GENERAL.—Any qualified birth or adoption distribution.

''(ii) LIMITATION.—The aggregate amount which may be treated as qualified birth or adoption distributions by any individual with respect to any birth or adoption shall not exceed $7,500.

''(iii) QUALIFIED BIRTH OR ADOPTION DISTRIBUTION.—For purposes of this subparagraph—

''(I) IN GENERAL.—The term 'qualified birth or adoption distribution' means any distribution from an applicable eligible retirement plan to an individual if made during the 1-year period beginning on the date on which a child of the individual is born or on which the legal adoption by the individual of an eligible child is finalized.

''(II) ELIGIBLE CHILD.—The term 'eligible child' means any individual (other than a child of the taxpayer's spouse) who has not attained age 18 or is physically or mentally incapable of self-support.

''(iv) TREATMENT OF PLAN DISTRIBUTIONS.—

''(I) IN GENERAL.—If a distribution to an individual would (without regard to clause (ii)) be a qualified birth or adoption distribution, a plan shall not be treated as failing to meet any requirement of this title merely because the plan treats the distribution as a qualified birth or adoption distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds $7,500.

''(II) CONTROLLED GROUP.—For purposes of subclause (I), the term 'controlled group' means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414.

''(v) AMOUNT DISTRIBUTED MAY BE REPAID.—

''(I) IN GENERAL.—Any individual who receives a qualified birth or adoption distribution may make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an applicable eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), as the case may be.

''(II) LIMITATION ON CONTRIBUTIONS TO APPLICABLE ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—The aggregate amount of contributions made by an individual under subclause (I) to any applicable eligible retirement plan which is not an individual retirement plan shall not exceed the aggregate amount of qualified birth or adoption distributions which are made from such plan to such individual. Subclause (I) shall not apply to contributions to any applicable eligible retirement plan which is not an individual retirement plan unless the individual is eligible to make contributions (other than those described in subclause (I)) to such applicable eligible retirement plan.

''(III) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM APPLICABLE ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—If a contribution is made under subclause (I) with respect to a qualified birth or adoption distribution from an applicable eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received such distribution in an eligible rollover distribution (as defined in section 402(c)(4)) and as having transferred the amount to the applicable eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(IV) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—If a contribution is

made under subclause (I) with respect to a qualified birth or adoption distribution from an individual retirement plan, then, to the extent of the amount of the contribution, such distribution shall be treated as a distribution described in section 408(d)(3) and as having been transferred to the applicable eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

''(vi) DEFINITION AND SPECIAL RULES.—For purposes of this subparagraph—

''(I) APPLICABLE ELIGIBLE RETIREMENT PLAN.—The term 'applicable eligible retirement plan' means an eligible retirement plan (as defined in section 402(c)(8)(B)) other than a defined benefit plan.

''(II) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405, a qualified birth or adoption distribution shall not be treated as an eligible rollover distribution.

''(III) TAXPAYER MUST INCLUDE TIN.—A distribution shall not be treated as a qualified birth or adoption distribution with respect to any child or eligible child unless the taxpayer includes the name, age, and TIN of such child or eligible child on the taxpayer's return of tax for the taxable year.

''(IV) DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—Any qualified birth or adoption distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2018.

TITLE III—REPEAL OR DELAY OF CERTAIN HEALTH-RELATED TAXES

SEC. 301. EXTENSION OF MORATORIUM ON MEDICAL DEVICE EXCISE TAX.

Section 4191(c) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2019'' and inserting ''December 31, 2024''.

SEC. 302. DELAY IN IMPLEMENTATION OF EXCISE TAX ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE.

Section 9001(c) of the Patient Protection and Affordable Care Act is amended by striking ''December 31, 2021'' and inserting ''December 31, 2022''.

SEC. 303. EXTENSION OF SUSPENSION OF ANNUAL FEE ON HEALTH INSURANCE PROVIDERS.

Section 9010(j)(3) of the Patient Protection and Affordable Care Act is amended by striking ''December 31, 2019'' and inserting ''December 31, 2021''.

SEC. 304. REPEAL OF EXCISE TAX ON INDOOR TANNING SERVICES.

(a) IN GENERAL.—Subtitle D of the Internal Revenue Code of 1986 is amended by striking chapter 49 and by striking the item relating to such chapter in the table of chapters of such subtitle.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to services performed in calendar quarters beginning more than 30 days after the date of the enactment of this Act.

TITLE IV—CERTAIN EXPIRING PROVISIONS

SEC. 401. RAILROAD TRACK MAINTENANCE CREDIT MADE PERMANENT.

(a) CREDIT PERCENTAGE REDUCED.—Section 45G(a) is amended by striking ''50 percent'' and inserting ''30 percent''.

(b) MADE PERMANENT.—Section 45G is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred during taxable years beginning after December 31, 2017.

SEC. 402. BIODIESEL AND RENEWABLE DIESEL PROVISIONS EXTENDED AND PHASED OUT.

(a) INCOME TAX CREDIT.—

(1) IN GENERAL.—Section 40A(g) is amended to read as follows:

''(g) PHASE OUT; TERMINATION.—

''(1) PHASE OUT.—In the case of any sale or use after December 31, 2021, subsections (b)(1)(A) and (b)(2)(A) shall be applied by substituting for '$1.00'—

''(A) '$.75', if such sale or use is before January 1, 2023,

''(B) '$.50', if such sale or use is after December 31, 2022, and before January 1, 2024, and

''(C) '$.33', if such sale or use is after December 31, 2023, and before January 1, 2025.

''(2) TERMINATION.—This section shall not apply to any sale or use after December 31, 2024.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2017.

(b) EXCISE TAX INCENTIVES.—

(1) PHASE OUT.—Section 6426(c)(2) is amended to read as follows:

''(2) APPLICABLE AMOUNT.—For purposes of this subsection, the applicable amount is—

''(A) $1.00 in the case of any sale or use for any period before January 1, 2022,

''(B) $.75 in the case of any sale or use for any period after December 31, 2021, and before January 1, 2023,

''(C) $.50 in the case of any sale or use for any period after December 31, 2022, and before January 1, 2024, and

''(D) $.33 in the case of any sale or use for any period after December 31, 2023, and before January 1, 2025.''.

(2) TERMINATION.—

(A) IN GENERAL.—Section 6426(c)(6) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2024''.

(B) PAYMENTS.—Section 6427(e)(6)(B) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2024''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2017.

(4) SPECIAL RULE FOR 2018.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2018, and ending on December 31, 2018, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

TITLE V—OTHER PROVISIONS

SEC. 501. TECHNICAL AMENDMENTS RELATING TO PUBLIC LAW 115–97.

(a) AMENDMENT RELATING TO SECTION 11011.—Section 852(b) is amended by adding at the end the following:

''(10) TREATMENT BY SHAREHOLDERS OF QUALIFIED REIT DIVIDENDS AND QUALIFIED PUBLICLY TRADED PARTNERSHIP INCOME.—

''(A) IN GENERAL.—A shareholder of a regulated investment company shall take into account for purposes of section 199A(b)(1)(B)—

''(i) as a qualified REIT dividend the amount which is reported by the company (in written statements furnished to its shareholders) as being attributable to qualified REIT dividends received by the company, and

''(ii) as qualified publicly traded partnership income the amount which is reported by the company (in written statements furnished to its shareholders) as being attributable to qualified publicly traded partnership income of the company.

''(B) EXCESS REPORTED AMOUNTS.—Rules similar to the rules of clauses (ii) and (iii) of paragraph (5)(A) shall apply for purposes of this paragraph.

''(C) NEGATIVE QUALIFIED PUBLICLY TRADED PARTNERSHIP INCOME REQUIRED TO BE TAKEN INTO ACCOUNT.—If the qualified publicly traded partnership income of the company is less than zero, such income shall be reported by the company under subparagraph (A)(ii).

''(D) REGULATIONS.—The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this paragraph.''.

(b) AMENDMENTS RELATING TO SECTION 13204.—

(1) Section 168(e)(3)(E) is amended by striking ''and'' at the end of clause (v), by striking the period at the end of clause (vi) and inserting '', and'', and by adding at the end the following new clause:

''(vii) any qualified improvement property.''.

(2) The table contained in subparagraph (B) of section 168(g)(3) is amended—

(A) by striking the item relating to subparagraph (D)(v), and

(B) by inserting after the item relating to subparagraph (E)(vi) the following new item:

''(E)(vii) ..... 20''.

(c) AMENDMENT RELATING TO SECTION 13302.—Section 13302(e)(2) of Public Law 115-97 is amended by striking ''ending'' and inserting ''beginning''.

(d) AMENDMENT RELATING TO SECTION 13307.—Section 162(q)(2) is amended by inserting ''in the case of the taxpayer for whom a deduction is disallowed by reason of paragraph (1),'' before ''attorney's fees''.

(e) AMENDMENT RELATING TO SECTION 14103.—

(1) IN GENERAL.—Section 965(h) is amended by adding at the end the following new paragraph:

''(7) INSTALLMENTS NOT TO PREVENT CREDIT OR REFUND OF OVERPAYMENTS OR INCREASE ESTIMATED TAXES.—If an election is made under paragraph (1) to pay the net tax liability under this section in installments—

''(A) no installment of such net tax liability shall—

''(i) in the case of a request for credit or refund, be taken into account as a liability for purposes of determining whether an overpayment exists for purposes of section 6402 before the date on which such installment is due, or

''(ii) for purposes of sections 6425, 6654, and 6655, be treated as a tax imposed by section 1, section 11, or subchapter L of chapter 1, and

''(B) the first sentence of section 6403 shall not apply with respect to any such installment.''.

(2) LIMITATION ON PAYMENT OF INTEREST.—In the case of the portion of any overpayment which exists by reason of the application of section 965(h)(7) of the Internal Revenue Code of 1986 (as added by this subsection)—

(A) if credit or refund of such portion is made on or before the date which is 45 days after the date of the enactment of this Act, no interest shall be allowed or paid under section 6611 of such Code with respect to such portion, and

(B) if credit or refund of such portion is made after the date which is 45 days after the date of the enactment of this Act, no interest shall be allowed or paid under section 6611 of such Code with respect to such portion for any period before the date of the enactment of this Act.

(f) AMENDMENTS RELATING TO SECTION 14213.—

(1) Section 958(b) is amended—

(A) by inserting after paragraph (3) the following:

''(4) Subparagraphs (A), (B), and (C) of section 318(a)(3) shall not be applied so as to consider a United States person as owning stock which is owned by a person who is not a United States person.'', and

(B) by striking ''Paragraph (1)'' in the last sentence and inserting ''Paragraphs (1) and (4)''.

(2) Subpart F of part III of subchapter N of chapter 1 is amended by inserting after section 951A the following new section:

''SEC. 951B. AMOUNTS INCLUDED IN GROSS INCOME OF FOREIGN CONTROLLED UNITED STATES SHAREHOLDERS.

''(a) IN GENERAL.—In the case of any foreign controlled United States shareholder of a foreign controlled foreign corporation—

''(1) this subpart (other than sections 951A, 951(b), 957, and 965) shall be applied with respect to such shareholder (separately from, and in addition to, the application of this subpart without regard to this section)—

''(A) by substituting 'foreign controlled United States shareholder' for 'United States shareholder' each place it appears therein, and

''(B) by substituting 'foreign controlled foreign corporation' for 'controlled foreign corporation' each place it appears therein, and

''(2) sections 951A and 965 shall be applied with respect to such shareholder —

''(A) by treating each reference to 'United States shareholder' in such sections as including a reference to such shareholder, and

''(B) by treating each reference to 'controlled foreign corporation' in such sections as including a reference to such foreign controlled foreign corporation.

''(b) FOREIGN CONTROLLED UNITED STATES SHAREHOLDER.—For purposes of this section, the term 'foreign controlled United States shareholder' means, with respect to any foreign corporation, any United States person which would be a United States shareholder with respect to such foreign corporation if—

''(1) section 951(b) were applied by substituting 'more than 50 percent' for '10 percent or more', and

''(2) section 958(b) were applied without regard to paragraph (4) thereof.

''(c) FOREIGN CONTROLLED FOREIGN CORPORATION.—For purposes of this section, the term 'foreign controlled foreign corporation' means a foreign corporation, other than a controlled foreign corporation, which would be a controlled foreign corporation if section 957(a) were applied—

''(1) by substituting 'foreign controlled United States shareholders' for 'United States shareholders', and

''(2) by substituting 'section 958(b) (other than paragraph (4) thereof)' for 'section 958(b)'.

''(d) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations or other guidance—

''(1) to treat a foreign controlled United States shareholder or a foreign controlled foreign corporation as a United States shareholder or as a controlled foreign corporation, respectively, for purposes of provisions of this title other than this subpart, and

''(2) to prevent the avoidance of the purposes of this section.''.

(3) The amendments made by paragraphs (1) and (2) shall apply to—

(A) the last taxable year of foreign corporations beginning before January 1, 2018, and each subsequent taxable year of such foreign corporations, and

(B) taxable years of United States persons in which or with which such taxable years of foreign corporations end.

(g) EFFECTIVE DATES.—Except as otherwise provided in this section, the amendments made by this section shall take effect as if included in the provision of Public Law 115-97 to which they relate.

SEC. 502. CLARIFICATION OF TREATMENT OF VETERANS AS SPECIFIED GROUP FOR PURPOSES OF THE LOW-INCOME HOUSING TAX CREDIT.

For purposes of section 42(g)(9)(B) of the Internal Revenue Code of 1986, veterans shall not fail to be treated as a specified group under a Federal program.

SEC. 503. CLARIFICATION OF GENERAL PUBLIC USE REQUIREMENT FOR QUALIFIED RESIDENTIAL RENTAL PROJECTS.

(a) IN GENERAL.—Section 142(d)(2) is amended by adding at the end the following new subparagraph:

''(F) CLARIFICATION OF GENERAL PUBLIC USE REQUIREMENT.—Rules similar to the rules of section 42(g)(9) shall apply for purposes of this subsection.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued before, on, or after the date of enactment of this Act.

SEC. 504. FLOOR PLAN FINANCING APPLICABLE TO CERTAIN TRAILERS AND CAMPERS.

(a) IN GENERAL.—Section 163(j)(9)(C) is amended by adding at the end the following new flush sentence:

''Such term shall include any trailer or camper which is designed to provide temporary living quarters for recreational, camping, travel, or seasonal use and is designed to be towed by, or affixed to, a motor vehicle.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 505. REPEAL OF INCREASE IN UNRELATED BUSINESS TAXABLE INCOME BY DISALLOWED FRINGE.

(a) IN GENERAL.—Section 512(a) is amended by striking paragraph (7).

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in section 13703 of Public Law 115-97.

SEC. 506. CERTAIN PURCHASES OF EMPLOYEE-OWNED STOCK DISREGARDED FOR PURPOSES OF FOUNDATION TAX ON EXCESS BUSINESS HOLDINGS.

(a) IN GENERAL.—Section 4943(c)(4)(A) is amended by adding at the end the following new clause:

''(v) CERTAIN PURCHASES OF EMPLOYEE-OWNED STOCK DISREGARDED.—For purposes of clause (i), subparagraph (D), and paragraph (2), any voting stock which—

''(I) is not readily tradable on an established securities market,

''(II) is purchased by the business enterprise on or after January 1, 2005, from a stock bonus or profit sharing plan described in section 401(a) in which employees of such business enterprise participate, in connection with a distribution from such plan, and

''(III) is held by the business enterprise as treasury stock, cancelled, or retired,

shall be treated as outstanding voting stock, but only to the extent so treating such stock would not result in permitted holdings exceeding 49 percent (determined without regard to this clause). The preceding sentence shall not apply with respect to the purchase of stock from a plan during the 10-year period beginning on the date the plan is established.''

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years ending after the date of enactment of this Act and to purchases by a business enterprise of voting stock in taxable years beginning before, on, or after the date of enactment of this Act.

(2) SPECIAL RULE FOR GRANDFATHERED FOUNDATIONS IN CASE OF DECREASE IN OWNERSHIP BY REASON OF PRE-ENACTMENT PURCHASES.—Section 4943(c)(4)(A)(ii) of the Internal Revenue Code of 1986 shall not apply with respect to any decrease in the percentage of holdings in a business enterprise by reason of section 4943(c)(4)(A)(v) of such Code (as added by this section).

SEC. 507. ALLOWING 501(c)(3) ORGANIZATION TO MAKE STATEMENTS RELATING TO POLITICAL CAMPAIGN IN ORDINARY COURSE OF CARRYING OUT ITS TAX EXEMPT PURPOSE.

(a) IN GENERAL.—Section 501 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(s) SPECIAL RULE RELATING TO POLITICAL CAMPAIGN STATEMENTS OF ORGANIZATION DESCRIBED IN SUBSECTION (c)(3).—

''(1) IN GENERAL.—For purposes of subsection (c)(3) and sections 170(c)(2), 2055, 2106, 2522, and 4955, an organization shall not fail to be treated as organized and operated exclusively for a purpose described in subsection (c)(3), nor shall it be deemed to have participated in, or intervened in any political campaign on behalf of (or in opposition to) any candidate for public office, solely because of the content of any statement which—

''(A) is made in the ordinary course of the organization's regular and customary activities in carrying out its exempt purpose, and

''(B) results in the organization incurring not more than de minimis incremental expenses.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 508. CHARITABLE ORGANIZATIONS PERMITTED TO MAKE COLLEGIATE HOUSING AND INFRASTRUCTURE GRANTS.

(a) IN GENERAL.—Section 501, as amended by the preceding provisions of this Act, is amended by adding at the end the following new subsection:

''(t) TREATMENT OF ORGANIZATIONS MAKING COLLEGIATE HOUSING AND INFRASTRUCTURE IMPROVEMENT GRANTS.—

''(1) IN GENERAL.—For purposes of subsection (c)(3) and sections 170(c)(2)(B), 2055(a)(2), and 2522(a)(2), an organization shall not fail to be treated as organized and operated exclusively for charitable or educational purposes solely because such organization makes collegiate housing and infrastructure grants to an organization described in subsection (c)(7) which applies the grant to its collegiate housing property.

''(2) HOUSING AND INFRASTRUCTURE GRANTS.—For purposes of paragraph (1), collegiate housing and infrastructure grants are grants to provide, improve, operate, or maintain collegiate housing property that may involve more than incidental social, recreational, or private purposes, so long as such grants are for purposes that would be permissible for a dormitory or other residential facility of the college or university with which the collegiate housing property is associated. A grant shall not be treated as a collegiate housing and infrastructure grant for purposes of paragraph (1) to the extent that such grant is used to provide physical fitness facilities.

''(3) COLLEGIATE HOUSING PROPERTY.—For purposes of this subsection, collegiate housing property is property in which, at the time of a grant or following the acquisition, lease, construction, or modification of such property using such grant, substantially all of the residents are full-time students at the college or university in the community where such property is located.

''(4) GRANTS TO CERTAIN ORGANIZATIONS HOLDING TITLE TO PROPERTY, ETC.—For purposes of this subsection, a collegiate housing and infrastructure grant to an organization described in subsection (c)(2) or (c)(7) holding title to property exclusively for the benefit of an organization described in subsection (c)(7) shall be considered a grant to the organization described in subsection (c)(7) for whose benefit such property is held.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to grants made in taxable years ending after the date of the enactment of this Act.

SEC. 509. RESTRICTION ON REGULATION OF CONTINGENCY FEES WITH RESPECT TO TAX RETURNS, ETC.

The Secretary of the Treasury may not regulate, prohibit, or restrict the use of a contingent fee in connection with tax returns, claims for refund, or documents in connection with tax returns or claims for refund prepared on behalf of a taxpayer.

DIVISION B—TAXPAYER FIRST ACT OF 2018

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This division may be cited as the ''Taxpayer First Act of 2018''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this division is as follows:

TITLE I—PUTTING TAXPAYERS FIRST

Subtitle A—Independent Appeals Process

SEC. 1001. ESTABLISHMENT OF INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.

(a) IN GENERAL.—Section 7803 is amended by adding at the end the following new subsection:

''(e) INDEPENDENT OFFICE OF APPEALS.—

''(1) ESTABLISHMENT.—There is established in the Internal Revenue Service an office to be known as the 'Internal Revenue Service Independent Office of Appeals'.

''(2) CHIEF OF APPEALS.—

''(A) IN GENERAL.—The Internal Revenue Service Independent Office of Appeals shall be under the supervision and direction of an official to be known as the 'Chief of Appeals'. The Chief of Appeals shall report directly to the Commissioner of the Internal Revenue Service and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

''(B) APPOINTMENT.—The Chief of Appeals shall be appointed by the Commissioner of the Internal Revenue Service without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

''(C) QUALIFICATIONS.—An individual appointed under subparagraph (B) shall have experience and expertise in—

''(i) administration of, and compliance with, Federal tax laws,

''(ii) a broad range of compliance cases, and

''(iii) management of large service organizations.

''(3) PURPOSES AND DUTIES OF OFFICE.—It shall be the function of the Internal Revenue Service Independent Office of Appeals to resolve Federal tax controversies without litigation on a basis which—

''(A) is fair and impartial to both the Government and the taxpayer,

''(B) promotes a consistent application and interpretation of, and voluntary compliance with, the Federal tax laws, and

''(C) enhances public confidence in the integrity and efficiency of the Internal Revenue Service.

''(4) RIGHT OF APPEAL.—The resolution process described in paragraph (3) shall be generally available to all taxpayers.

''(5) LIMITATION ON DESIGNATION OF CASES AS NOT ELIGIBLE FOR REFERRAL TO INDEPENDENT OFFICE OF APPEALS.—

''(A) IN GENERAL.—If any taxpayer which is in receipt of a notice of deficiency authorized under section 6212 requests referral to the Internal Revenue Service Independent Office of Appeals and such request is denied, the Commissioner of the Internal Revenue Service shall provide such taxpayer a written notice which—

''(i) provides a detailed description of the facts involved, the basis for the decision to deny the request, and a detailed explanation of how the basis of such decision applies to such facts, and

''(ii) describes the procedures prescribed under subparagraph (C) for protesting the decision to deny the request.

''(B) REPORT TO CONGRESS.—The Commissioner of the Internal Revenue Service shall submit a written report to Congress on an annual basis which includes the number of requests described in subparagraph (A) which were denied and the reasons (described by category) that such requests were denied.

''(C) PROCEDURES FOR PROTESTING DENIAL OF REQUEST.—The Commissioner of the Internal Revenue Service shall prescribe procedures for protesting to the Commissioner of the Internal Revenue Service a denial of a request described in subparagraph (A).

''(D) NOT APPLICABLE TO FRIVOLOUS POSITIONS.—This paragraph shall not apply to a request for referral to the Internal Revenue Service Independent Office of Appeals which is denied on the basis that the issue involved is a frivolous position (within the meaning of section 6702(c)).

''(6) STAFF.—

''(A) IN GENERAL.—All personnel in the Internal Revenue Service Independent Office of Appeals shall report to the Chief of Appeals.

''(B) ACCESS TO STAFF OF OFFICE OF THE CHIEF COUNSEL.—The Chief of Appeals shall have authority to obtain legal assistance and advice

from the staff of the Office of the Chief Counsel. The Chief Counsel shall ensure that such assistance and advice is provided by staff of the Office of the Chief Counsel who were not involved in the case with respect to which such assistance and advice is sought and who are not involved in preparing such case for litigation.

''(7) ACCESS TO CASE FILES.—

''(A) IN GENERAL.—In any case in which a conference with the Internal Revenue Service Independent Office of Appeals has been scheduled upon request of a specified taxpayer, the Chief of Appeals shall ensure that such taxpayer is provided access to the nonprivileged portions of the case file on record regarding the disputed issues (other than documents provided by the taxpayer to the Internal Revenue Service) not later than 10 days before the date of such conference.

''(B) TAXPAYER ELECTION TO EXPEDITE CONFERENCE.—If the taxpayer so elects, subparagraph (A) shall be applied by substituting 'the date of such conference' for '10 days before the date of such conference'.

''(C) SPECIFIED TAXPAYER.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified taxpayer' means—

''(I) in the case of any taxpayer who is a natural person, a taxpayer whose adjusted gross income does not exceed $400,000 for the taxable year to which the dispute relates, and

''(II) in the case of any other taxpayer, a taxpayer whose gross receipts do not exceed $5,000,000 for the taxable year to which the dispute relates.

''(ii) AGGREGATION RULE.—Rules similar to the rules of section 448(c)(2) shall apply for purposes of clause (i)(II).''.

(b) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking ''Internal Revenue Service Office of Appeals'' and inserting ''Internal Revenue Service Independent Office of Appeals'':

(A) Section 6015(c)(4)(B)(ii)(I).

(B) Section 6320(b)(1).

(C) Subsections (b)(1) and (d)(3) of section 6330.

(D) Section 6603(d)(3)(B).

(E) Section 6621(c)(2)(A)(i).

(F) Section 7122(e)(2).

(G) Subsections (a), (b)(1), (b)(2), and (c)(1) of section 7123.

(H) Subsections (c)(7)(B)(i), and (g)(2)(A) of section 7430.

(I) Section 7522(b)(3).

(J) Section 7612(c)(2)(A).

(2) Section 7430(c)(2) is amended by striking ''Internal Revenue Service Office of Appeals'' each place it appears and inserting ''Internal Revenue Service Independent Office of Appeals''.

(3) The heading of section 6330(d)(3) is amended by inserting ''INDEPENDENT'' after ''IRS''.

(c) OTHER REFERENCES.—Any reference in any provision of law, or regulation or other guidance, to the Internal Revenue Service Office of Appeals shall be treated as a reference to the Internal Revenue Service Independent Office of Appeals.

(d) SAVINGS PROVISIONS.—Rules similar to the rules of paragraphs (2) through (6) of section 1001(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall apply for purposes of this section (and the amendments made by this section).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) ACCESS TO CASE FILES.—Section 7803(e)(7) of the Internal Revenue Code of 1986, as added by subsection (a), shall apply to conferences occurring after the date which is 1 year after the date of the enactment of this Act.

Subtitle B—Improved Service

SEC. 1101. COMPREHENSIVE CUSTOMER SERVICE STRATEGY.

(a) IN GENERAL.—Not later than the date which is 1 year after the date of the enactment of this Act, the Secretary of the Treasury shall submit to Congress a written comprehensive customer service strategy for the Internal Revenue Service. Such strategy shall include—

(1) a plan to provide assistance to taxpayers that is secure, designed to meet reasonable taxpayer expectations, and adopts appropriate best practices of customer service provided in the private sector, including online services, telephone call back services, and training of employees providing customer services,

(2) a thorough assessment of the services that the Internal Revenue Service can co-locate with other Federal services or offer as self-service options,

(3) proposals to improve Internal Revenue Service customer service in the short term (the current and following fiscal year), medium term (approximately 3 to 5 fiscal years), and long term (approximately 10 fiscal years),

(4) a plan to update guidance and training materials for customer service employees of the Internal Revenue Service, including the Internal Revenue Manual, to reflect such strategy, and

(5) identified metrics and benchmarks for quantitatively measuring the progress of the Internal Revenue Service in implementing such strategy.

(b) UPDATED GUIDANCE AND TRAINING MATERIALS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall make available the updated guidance and training materials described in subsection (a)(4) (including the Internal Revenue Manual). Such updated guidance and training materials (including the Internal Revenue Manual) shall be written in a manner so as to be easily understood by customer service employees of the Internal Revenue Service and shall provide clear instructions.

SEC. 1102. IRS FREE FILE PROGRAM.

(a) IN GENERAL.—

(1) The Secretary of the Treasury, or the Secretary's delegate, shall continue to operate the IRS Free File Program as established by the Internal Revenue Service and published in the Federal Register on November 4, 2002 (67 Fed. Reg. 67247), including any subsequent agreements and governing rules established pursuant thereto.

(2) The IRS Free File Program shall continue to provide free commercial-type online individual income tax preparation and electronic filing services to the lowest 70 percent of taxpayers by adjusted gross income. The number of taxpayers eligible to receive such services each year shall be calculated by the Internal Revenue Service annually based on prior year aggregate taxpayer adjusted gross income data.

(3) In addition to the services described in paragraph (2), and in the same manner, the IRS Free File Program shall continue to make available to all taxpayers (without regard to income) a basic, online electronic fillable forms utility.

(4) The IRS Free File Program shall continue to work cooperatively with the private sector to provide the free individual income tax preparation and the electronic filing services described in paragraphs (2) and (3).

(5) The IRS Free File Program shall work cooperatively with State government agencies to enhance and expand the use of the program to provide needed benefits to the taxpayer while reducing the cost of processing returns.

(b) INNOVATIONS.—The Secretary of the Treasury, or the Secretary's delegate, shall work with the private sector through the IRS Free File Program to identify and implement, consistent with applicable law, innovative new program features to improve and simplify the taxpayer's experience with completing and filing individual income tax returns through voluntary compliance.

SEC. 1103. LOW-INCOME EXCEPTION FOR PAYMENTS OTHERWISE REQUIRED IN CONNECTION WITH A SUBMISSION OF AN OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Section 7122(c) is amended by adding at the end the following new paragraph:

''(3) EXCEPTION FOR LOW-INCOME TAXPAYERS.—Paragraph (1), and any user fee otherwise required in connection with the submission of an offer-in-compromise, shall not apply to any offer-in-compromise with respect to a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 250 percent of the applicable poverty level (as determined by the Secretary).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to offers-in-compromise submitted after the date of the enactment of this Act.

Subtitle C—Sensible Enforcement

SEC. 1201. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking ''Any property'' and inserting the following:

''(A) IN GENERAL.—Any property''; and

(2) by adding at the end the following:

''(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

''(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

''(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

''(I) make a good faith effort to find all persons with an ownership interest in such property; and

''(II) provide each such person so found with a notice of the seizure and of the person's rights under clause (iv).

''(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

''(iv) POST-SEIZURE HEARING.—If a person with an ownership interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.''.

SEC. 1202. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by inserting before section 140 the following new section:

''SEC. 139H. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

''Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 140 the following new item:

''Sec. 139H. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

SEC. 1203. CLARIFICATION OF EQUITABLE RELIEF FROM JOINT LIABILITY.

(a) IN GENERAL.—Section 6015 is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

''(7) STANDARD AND SCOPE OF REVIEW.—Any review of a determination made under this section shall be reviewed de novo by the Tax Court and shall be based upon—

''(A) the administrative record established at the time of the determination, and

''(B) any additional newly discovered or previously unavailable evidence.'', and

(2) by amending subsection (f) to read as follows:

''(f) EQUITABLE RELIEF.—

''(1) IN GENERAL.—Under procedures prescribed by the Secretary, if—

''(A) taking into account all the facts and circumstances, it is inequitable to hold the individual liable for any unpaid tax or any deficiency (or any portion of either), and

''(B) relief is not available to such individual under subsection (b) or (c),

the Secretary may relieve such individual of such liability.

''(2) LIMITATION.—A request for equitable relief under this subsection may be made with respect to any portion of any liability that—

''(A) has not been paid, provided that such request is made before the expiration of the applicable period of limitation under section 6502, or

''(B) has been paid, provided that such request is made during the period in which the individual could submit a timely claim for refund or credit of such payment.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions or requests filed or pending on or after the date of the enactment of this Act.

SEC. 1204. MODIFICATION OF PROCEDURES FOR ISSUANCE OF THIRD-PARTY SUMMONS.

(a) IN GENERAL.—Section 7609(f) is amended by adding at the end the following flush sentence:

''The Secretary shall not issue any summons described in the preceding sentence unless the information sought to be obtained is narrowly tailored to information that pertains to the failure (or potential failure) of the person or group or class of persons referred to in paragraph (2) to comply with one or more provisions of the internal revenue law which have been identified for purposes of such paragraph.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses served after the date of the enactment of this Act.

SEC. 1205. PRIVATE DEBT COLLECTION AND SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(d)(3) is amended by striking ''or'' at the end of subparagraph (C) and by inserting after subparagraph (D) the following new subparagraphs:

''(E) a taxpayer substantially all of whose income consists of disability insurance benefits under section 223 of the Social Security Act or supplemental security income benefits under title XVI of the Social Security Act (including supplemental security income benefits of the type described in section 1616 of such Act or section 212 of Public Law 93-66), or

''(F) a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 200 percent of the applicable poverty level (as determined by the Secretary).''.

(b) DETERMINATION OF INACTIVE TAX RECEIVABLES ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(c)(2)(A)(ii) is amended by striking ''more than ⅓ of the period of the applicable statute of limitation has lapsed'' and inserting ''more than 2 years has passed since assessment''.

(c) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS OFFERED UNDER TAX COLLECTION CONTRACTS.—Section 6306(b)(1)(B) is amended by striking ''5 years'' and inserting ''7 years''.

(d) CLARIFICATION THAT SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT MAY BE USED FOR PROGRAM COSTS.—

(1) IN GENERAL.—Section 6307(b) is amended—

(A) in paragraph (2), by striking all that follows ''under such program'' and inserting a period, and

(B) in paragraph (3), by striking all that follows ''out of such account'' and inserting ''for other than program costs''.

(2) COMMUNICATIONS, SOFTWARE, AND TECHNOLOGY COSTS TREATED AS PROGRAM COSTS.—Section 6307(d)(2)(B) is amended by striking ''telecommunications'' and inserting ''communications, software, technology''.

(3) CONFORMING AMENDMENT.—Section 6307(d)(2) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by inserting after subparagraph (B) the following new subparagraph:

''(C) reimbursement of the Internal Revenue Service or other government agencies for the cost of administering the qualified tax collection program under section 6306.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to tax receivables identified by the Secretary (or the Secretary's delegate) after December 31, 2019.

(2) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS.—The amendment made by subsection (c) shall apply to contracts entered into after the date of the enactment of this Act.

(3) USE OF SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The amendment made by subsection (d) shall apply to amounts expended from the special compliance personnel program account after the date of the enactment of this Act.

SEC. 1206. REFORM OF NOTICE OF CONTACT OF THIRD PARTIES.

(a) IN GENERAL.—Section 7602(c)(1) is amended to read as follows:

''(1) GENERAL NOTICE.—An officer or employee of the Internal Revenue Service may not contact any person other than the taxpayer with respect to the determination or collection of the tax liability of such taxpayer unless such contact occurs during a period (not greater than 1 year) which is specified in a notice which—

''(A) informs the taxpayer that contacts with persons other than the taxpayer are intended to be made during such period, and

''(B) except as otherwise provided by the Secretary, is provided to the taxpayer not later than 45 days before the beginning of such period.

Nothing in the preceding sentence shall prevent the issuance of notices to the same taxpayer with respect to the same tax liability with periods specified therein that, in the aggregate, exceed 1 year. A notice shall not be issued under this paragraph unless there is an intent at the time such notice is issued to contact persons other than the taxpayer during the period specified in such notice. The preceding sentence shall not prevent the issuance of a notice if the requirement of such sentence is met on the basis of the assumption that the information sought to be obtained by such contact will not be obtained by other means before such contact.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to notices provided, and contacts of persons made, after the date which is 45 days after the date of the enactment of this Act.

SEC. 1207. MODIFICATION OF AUTHORITY TO ISSUE DESIGNATED SUMMONS.

(a) IN GENERAL.—Paragraph (1) of section 6503(j) is amended by striking ''coordinated examination program'' and inserting ''coordinated industry case program''.

(b) REQUIREMENTS FOR SUMMONS.—Clause (i) of section 6503(j)(2)(A) is amended to read as follows:

''(i) the issuance of such summons is preceded by a review and written approval of such issuance by the Commissioner of the relevant operating division of the Internal Revenue Service and the Chief Counsel which—

''(I) states facts clearly establishing that the Secretary has made reasonable requests for the information that is the subject of the summons, and

''(II) is attached to such summons,''.

(c) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—Subsection (j) of section 6503 is amended by adding at the end the following new paragraph:

''(4) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—In any court proceeding described in paragraph (3), the Secretary shall establish that reasonable requests were made for the information that is the subject of the summons.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses issued after the date of the enactment of this Act.

SEC. 1208. LIMITATION ON ACCESS OF NON-INTERNAL REVENUE SERVICE EMPLOYEES TO RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Section 7602 is amended by adding at the end the following new subsection:

''(f) LIMITATION ON ACCESS OF PERSONS OTHER THAN INTERNAL REVENUE SERVICE OFFICERS AND EMPLOYEES.—The Secretary shall not, under the authority of section 6103(n), provide any books, papers, records, or other data obtained pursuant to this section to any person authorized under section 6103(n), except when such person requires such information for the sole purpose of providing expert evaluation and assistance to the Internal Revenue Service. No person other than an officer or employee of the Internal Revenue Service or the Office of Chief Counsel may, on behalf of the Secretary, question a witness under oath whose testimony was obtained pursuant to this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section—

(1) shall take effect on the date of the enactment of this Act, and

(2) shall not fail to apply to a contract in effect under section 6103(n) of the Internal Revenue Code of 1986 merely because such contract was in effect before the date of the enactment of this Act.

Subtitle D—Organizational Modernization

SEC. 1301. OFFICE OF THE NATIONAL TAXPAYER ADVOCATE.

(a) TAXPAYER ADVOCATE DIRECTIVES.—

(1) IN GENERAL.—Section 7803(c) is amended by adding at the end the following new paragraph:

''(5) TAXPAYER ADVOCATE DIRECTIVES.—In the case of any Taxpayer Advocate Directive issued

by the National Taxpayer Advocate pursuant to a delegation of authority from the Commissioner of the Internal Revenue Service—

''(A) the Commissioner or a Deputy Commissioner shall modify, rescind, or ensure compliance with such directive not later than 90 days after the issuance of such directive, and

''(B) in the case of any directive which is modified or rescinded by a Deputy Commissioner, the National Taxpayer Advocate may (not later than 90 days after such modification or rescission) appeal to the Commissioner and the Commissioner shall (not later than 90 days after such appeal is made) ensure compliance with such directive as issued by the National Taxpayer Advocate or provide the National Taxpayer Advocate with a detailed description of the reasons for any modification or rescission made or upheld by the Commissioner pursuant to such appeal.''.

(2) REPORT TO CERTAIN COMMITTEES OF CONGRESS REGARDING DIRECTIVES.—Section 7803(c)(2)(B)(ii) is amended by redesignating subclauses (VIII) through (XI) as subclauses (IX) through (XII), respectively, and by inserting after subclause (VII) the following new subclause:

''(VIII) identify any Taxpayer Advocate Directive which was not honored by the Internal Revenue Service in a timely manner, as specified under paragraph (5);''.

(b) NATIONAL TAXPAYER ADVOCATE ANNUAL REPORTS TO CONGRESS.—

(1) INCLUSION OF MOST SERIOUS TAXPAYER PROBLEMS.—Section 7803(c)(2)(B)(ii)(III) is amended by striking ''at least 20 of the'' and inserting ''the 10''.

(2) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Section 7803(c)(2) is amended by adding at the end the following new subparagraph:

''(E) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Before beginning any research or study, the National Taxpayer Advocate shall coordinate with the Treasury Inspector General for Tax Administration to ensure that the National Taxpayer Advocate does not duplicate any action that the Treasury Inspector General for Tax Administration has already undertaken or has a plan to undertake.''.

(3) STATISTICAL SUPPORT.—

(A) IN GENERAL.—Section 6108 is amended by adding at the end the following new subsection:

''(d) STATISTICAL SUPPORT FOR NATIONAL TAXPAYER ADVOCATE.—The Secretary shall, upon request of the National Taxpayer Advocate, provide the National Taxpayer Advocate with statistical support in connection with the preparation by the National Taxpayer Advocate of the annual report described in section 7803(c)(2)(B)(ii). Such statistical support shall include statistical studies, compilations, and the review of information provided by the National Taxpayer Advocate for statistical validity and sound statistical methodology.''.

(B) DISCLOSURE OF REVIEW.—Section 7803(c)(2)(B)(ii), as amended by subsection (a), is amended by redesignating subclause (XII) as subclause (XIII) and by inserting after subclause (XI) the following new subclause:

''(XII) with respect to any statistical information included in such report, include a statement of whether such statistical information was reviewed or provided by the Secretary under section 6108(d) and, if so, whether the Secretary determined such information to be statistically valid and based on sound statistical methodology.''.

(C) CONFORMING AMENDMENT.—Section 7803(c)(2)(B)(iii) is amended by adding at the end the following: ''The preceding sentence shall not apply with respect to statistical information provided to the Secretary for review, or received from the Secretary, under section 6108(d).''.

(c) SALARY OF NATIONAL TAXPAYER ADVOCATE.—Section 7803(c)(1)(B)(i) is amended by striking '', or, if the Secretary of the Treasury so determines, at a rate fixed under section 9503 of such title''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) SALARY OF NATIONAL TAXPAYER ADVOCATE.—The amendment made by subsection (c) shall apply to compensation paid to individuals appointed as the National Taxpayer Advocate after the date of the enactment of this Act.

SEC. 1302. MODERNIZATION OF INTERNAL REVENUE SERVICE ORGANIZATIONAL STRUCTURE.

(a) IN GENERAL.—Not later than September 30, 2020, the Commissioner of the Internal Revenue Service shall submit to Congress a comprehensive written plan to redesign the organization of the Internal Revenue Service. Such plan shall—

(1) ensure the successful implementation of the priorities specified by Congress in this Act,

(2) prioritize taxpayer services to ensure that all taxpayers easily and readily receive the assistance that they need,

(3) streamline the structure of the agency including minimizing the duplication of services and responsibilities within the agency,

(4) best position the Internal Revenue Service to combat cybersecurity and other threats to the Internal Revenue Service, and

(5) address whether the Criminal Investigation Division of the Internal Revenue Service should report directly to the Commissioner.

(b) REPEAL OF RESTRICTION ON ORGANIZATIONAL STRUCTURE OF INTERNAL REVENUE SERVICE.—Paragraph (3) of section 1001(a) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall cease to apply beginning 1 year after the date on which the Commissioner of the Internal Revenue Service submits to Congress the plan described in subsection (a).

Subtitle E—Other Provisions

SEC. 1401. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

(a) IN GENERAL.—Chapter 77 is amended by inserting after section 7526 the following new section:

''SEC. 7526A. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

''(a) ESTABLISHMENT OF VOLUNTEER INCOME TAX ASSISTANCE MATCHING GRANT PROGRAM.—The Secretary shall establish a Community Volunteer Income Tax Assistance Matching Grant Program under which the Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation programs assisting applicable taxpayers and members of underserved populations.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Qualified return preparation programs may use grants received under this section for—

''(A) ordinary and necessary costs associated with program operation in accordance with cost principles under the applicable Office of Management and Budget circular, including—

''(i) wages or salaries of persons coordinating the activities of the program,

''(ii) developing training materials, conducting training, and performing quality reviews of the returns prepared under the program,

''(iii) equipment purchases, and

''(iv) vehicle-related expenses associated with remote or rural tax preparation services,

''(B) outreach and educational activities described in subsection (c)(2)(B), and

''(C) services related to financial education and capability, asset development, and the establishment of savings accounts in connection with tax return preparation.

''(2) REQUIREMENT OF MATCHING FUNDS.—A qualified return preparation program must provide matching funds on a dollar-for-dollar basis for all grants provided under this section. Matching funds may include—

''(A) the salary (including fringe benefits) of individuals performing services for the program,

''(B) the cost of equipment used in the program, and

''(C) other ordinary and necessary costs associated with the program.

Indirect expenses, including general overhead of any entity administering the program, shall not be counted as matching funds.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each applicant for a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications which demonstrate—

''(A) assistance to applicable taxpayers, with emphasis on outreach to, and services for, such taxpayers,

''(B) taxpayer outreach and educational activities relating to eligibility and availability of income supports available through this title, including the earned income tax credit, and

''(C) specific outreach and focus on one or more underserved populations.

''(3) AMOUNTS TAKEN INTO ACCOUNT.—In determining matching grants under this section, the Secretary shall only take into account amounts provided by the qualified return preparation program for expenses described in subsection (b).

''(d) PROGRAM ADHERENCE.—

''(1) IN GENERAL.—The Secretary shall establish procedures for, and shall conduct not less frequently than once every 5 calendar years during which a qualified return preparation program is operating under a grant under this section, periodic site visits—

''(A) to ensure the program is carrying out the purposes of this section, and

''(B) to determine whether the program meets such program adherence standards as the Secretary shall by regulation or other guidance prescribe.

''(2) ADDITIONAL REQUIREMENTS FOR GRANT RECIPIENTS NOT MEETING PROGRAM ADHERENCE STANDARDS.—In the case of any qualified return preparation program which—

''(A) is awarded a grant under this section, and

''(B) is subsequently determined—

''(i) not to meet the program adherence standards described in paragraph (1)(B), or

''(ii) not to be otherwise carrying out the purposes of this section,

such program shall not be eligible for any additional grants under this section unless such program provides sufficient documentation of corrective measures established to address any such deficiencies determined.

''(e) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED RETURN PREPARATION PROGRAM.—The term 'qualified return preparation program' means any program—

''(A) which provides assistance to individuals, not less than 90 percent of whom are applicable taxpayers, in preparing and filing Federal income tax returns,

''(B) which is administered by a qualified entity,

''(C) in which all volunteers who assist in the preparation of Federal income tax returns meet the training requirements prescribed by the Secretary, and

''(D) which uses a quality review process which reviews 100 percent of all returns.

''(2) QUALIFIED ENTITY.—

''(A) IN GENERAL.—The term 'qualified entity' means any entity which—

''(i) is an eligible organization,

''(ii) is in compliance with Federal tax filing and payment requirements,

''(iii) is not debarred or suspended from Federal contracts, grants, or cooperative agreements, and

''(iv) agrees to provide documentation to substantiate any matching funds provided pursuant to the grant program under this section.

''(B) ELIGIBLE ORGANIZATION.—The term 'eligible organization' means—

''(i) an institution of higher education which is described in section 102 (other than subsection (a)(1)(C) thereof) of the Higher Education Act of 1965 (20 U.S.C. 1002), as in effect on the date of the enactment of this section, and which has not been disqualified from participating in a program under title IV of such Act,

''(ii) an organization described in section 501(c) and exempt from tax under section 501(a),

''(iii) a local government agency, including—

''(I) a county or municipal government agency, and

''(II) an Indian tribe, as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)), including any tribally designated housing entity (as defined in section 4(22) of such Act (25 U.S.C. 4103(22))), tribal subsidiary, subdivision, or other wholly owned tribal entity,

''(iv) a local, State, regional, or national coalition (with one lead organization which meets the eligibility requirements of clause (i), (ii), or (iii) acting as the applicant organization), or

''(v) in the case of applicable taxpayers and members of underserved populations with respect to which no organizations described in the preceding clauses are available—

''(I) a State government agency, or

''(II) an office providing Cooperative Extension services (as established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914).

''(3) APPLICABLE TAXPAYERS.—The term 'applicable taxpayer' means a taxpayer whose income for the taxable year does not exceed an amount equal to the completed phaseout amount under section 32(b) for a married couple filing a joint return with three or more qualifying children, as determined in a revenue procedure or other published guidance.

''(4) UNDERSERVED POPULATION.—The term 'underserved population' includes populations of persons with disabilities, persons with limited English proficiency, Native Americans, individuals living in rural areas, members of the Armed Forces and their spouses, and the elderly.

''(f) SPECIAL RULES AND LIMITATIONS.—

''(1) DURATION OF GRANTS.—Upon application of a qualified return preparation program, the Secretary is authorized to award a multi-year grant not to exceed 3 years.

''(2) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than $30,000,000 per fiscal year (exclusive of costs of administering the program) to grants under this section.

''(g) PROMOTION OF PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall promote tax preparation through qualified return preparation programs through the use of mass communications and other means.

''(2) PROVISION OF INFORMATION REGARDING QUALIFIED RETURN PREPARATION PROGRAMS.—The Secretary may provide taxpayers information regarding qualified return preparation programs receiving grants under this section.

''(3) VITA GRANTEE REFERRAL.—Qualified return preparation programs receiving a grant under this section are encouraged, in appropriate cases, to—

''(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from qualified low-income taxpayer clinics receiving funding under section 7526, and

''(B) provide information regarding the location of, and contact information for, such clinics.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

''Sec. 7526A. Return preparation programs for applicable taxpayers.''.

SEC. 1402. PROVISION OF INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS.

(a) IN GENERAL.—Section 7526(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) PROVISION OF INFORMATION REGARDING QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may—

''(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from one or more specific qualified low-income taxpayer clinics receiving funding under this section, and

''(B) provide information regarding the location of, and contact information for, such clinics.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 1403. NOTICE FROM IRS REGARDING CLOSURE OF TAXPAYER ASSISTANCE CENTERS.

Not later than 90 days before the date that a proposed closure of a Taxpayer Assistance Center would take effect, the Secretary of the Treasury (or the Secretary's delegate) shall—

(1) make publicly available (including by non-electronic means) a notice which—

(A) identifies the Taxpayer Assistance Center proposed for closure and the date of such proposed closure, and

(B) identifies the relevant alternative sources of taxpayer assistance which may be utilized by taxpayers affected by such proposed closure, and

(2) submit to Congress a written report that includes—

(A) the information included in the notice described in paragraph (1),

(B) the reasons for such proposed closure, and

(C) such other information as the Secretary may determine appropriate.

SEC. 1404. RULES FOR SEIZURE AND SALE OF PERISHABLE GOODS RESTRICTED TO ONLY PERISHABLE GOODS.

(a) IN GENERAL.—Section 6336 of the Internal Revenue Code of 1986 is amended by striking ''or become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property seized after the date of the enactment of this Act.

SEC. 1405. WHISTLEBLOWER REFORMS.

(a) MODIFICATIONS TO DISCLOSURE RULES FOR WHISTLEBLOWERS.—

(1) IN GENERAL.—Section 6103(k) is amended by adding at the end the following new paragraph:

''(13) DISCLOSURE TO WHISTLEBLOWERS.—

''(A) IN GENERAL.—The Secretary may disclose, to any individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a), return information related to the investigation of any taxpayer with respect to whom the individual has provided such information, but only to the extent that such disclosure is necessary in obtaining information, which is not otherwise reasonably available, with respect to the correct determination of tax liability for tax, or the amount to be collected with respect to the enforcement of any other provision of this title.

''(B) UPDATES ON WHISTLEBLOWER INVESTIGATIONS.—The Secretary shall disclose to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) the following:

''(i) Not later than 60 days after a case for which the individual has provided information has been referred for an audit or examination, a notice with respect to such referral.

''(ii) Not later than 60 days after a taxpayer with respect to whom the individual has provided information has made a payment of tax with respect to tax liability to which such information relates, a notice with respect to such payment.

''(iii) Subject to such requirements and conditions as are prescribed by the Secretary, upon a written request by such individual—

''(I) information on the status and stage of any investigation or action related to such information, and

''(II) in the case of a determination of the amount of any award under section 7623(b), the reasons for such determination.

Clause (iii) shall not apply to any information if the Secretary determines that disclosure of such information would seriously impair Federal tax administration. Information described in clauses (i), (ii), and (iii) may be disclosed to a designee of the individual providing such information in accordance with guidance provided by the Secretary.''.

(2) CONFORMING AMENDMENTS.—

(A) CONFIDENTIALITY OF INFORMATION.—Section 6103(a)(3) is amended by striking ''subsection (k)(10)'' and inserting ''paragraph (10) or (13) of subsection (k)''.

(B) PENALTY FOR UNAUTHORIZED DISCLOSURE.—Section 7213(a)(2) is amended by striking ''(k)(10)'' and inserting ''(k)(10) or (13)''.

(C) COORDINATION WITH AUTHORITY TO DISCLOSE FOR INVESTIGATIVE PURPOSES.—Section 6103(k)(6) is amended by adding at the end the following new sentence: ''This paragraph shall not apply to any disclosure to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) which is made under paragraph (13)(A).''.

(b) PROTECTION AGAINST RETALIATION.—Section 7623 is amended by adding at the end the following new subsection:

''(d) CIVIL ACTION TO PROTECT AGAINST RETALIATION CASES.—

''(1) ANTI-RETALIATION WHISTLEBLOWER PROTECTION FOR EMPLOYEES.—No employer, or any officer, employee, contractor, subcontractor, or agent of such employer, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment (including through an act in the ordinary course of such employee's duties) in reprisal for any lawful act done by the employee—

''(A) to provide information, cause information to be provided, or otherwise assist in an investigation regarding underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, when the information or assistance is provided to the Internal Revenue Service, the Secretary of Treasury, the Treasury Inspector General for Tax Administration, the Comptroller General of the United States, the Department of Justice, the United States Congress, a person with supervisory authority over the employee, or any other person working for the employer who has the authority to investigate, discover, or terminate misconduct, or

''(B) to testify, participate in, or otherwise assist in any administrative or judicial action taken by the Internal Revenue Service relating to an alleged underpayment of tax or any violation of the internal revenue laws or any provision of Federal law relating to tax fraud.

''(2) ENFORCEMENT ACTION.—

''(A) IN GENERAL.—A person who alleges discharge or other reprisal by any person in violation of paragraph (1) may seek relief under paragraph (3) by—

''(i) filing a complaint with the Secretary of Labor, or

''(ii) if the Secretary of Labor has not issued a final decision within 180 days of the filing of

the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(B) PROCEDURE.—

''(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

''(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

''(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code, except that in applying such section—

''(I) 'behavior described in paragraph (1)' shall be substituted for 'behavior described in paragraphs (1) through (4) of subsection (a)' each place it appears in paragraph (2)(B) thereof, and

''(II) 'a violation of paragraph (1)' shall be substituted for 'a violation of subsection (a)' each place it appears.

''(iv) STATUTE OF LIMITATIONS.—A complaint under subparagraph (A)(i) shall be filed not later than 180 days after the date on which the violation occurs.

''(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

''(3) REMEDIES.—

''(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

''(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

''(i) reinstatement with the same seniority status that the employee would have had, but for the reprisal,

''(ii) the sum of 200 percent of the amount of back pay and 100 percent of all lost benefits, with interest, and

''(iii) compensation for any special damages sustained as a result of the reprisal, including litigation costs, expert witness fees, and reasonable attorney fees.

''(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

''(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

''(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this subsection.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to disclosures made after the date of the enactment of this Act.

(2) CIVIL PROTECTION.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 1406. CUSTOMER SERVICE INFORMATION.

The Secretary of the Treasury (or the Secretary's delegate) shall provide helpful information to taxpayers placed on hold during a telephone call to any Internal Revenue Service help line, including the following:

(1) Information about common tax scams.

(2) Information on where and how to report tax scams.

(3) Additional advice on how taxpayers can protect themselves from identity theft and tax scams.

SEC. 1407. MISDIRECTED TAX REFUND DEPOSITS.

Section 6402 is amended by adding at the end the following new subsection:

''(n) MISDIRECTED DIRECT DEPOSIT REFUND.—Not later than the date which is 6 month after the date of the enactment of the Taxpayer First Act of 2018, the Secretary shall prescribe regulations to establish procedures to allow for—

''(1) taxpayers to report instances in which a refund made by the Secretary by electronic funds transfer was erroneously delivered to an account at a financial institution for which the taxpayer is not the owner;

''(2) coordination with financial institutions for the purpose of—

''(A) identifying erroneous payments described in paragraph (1); and

''(B) recovery of the erroneously transferred amounts; and

''(3) the refund to be delivered to the correct account of the taxpayer.''.

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

SEC. 2001. PUBLIC-PRIVATE PARTNERSHIP TO ADDRESS IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury (or the Secretary's delegate) shall work collaboratively with the public and private sectors to protect taxpayers from identity theft refund fraud.

SEC. 2002. RECOMMENDATIONS OF ELECTRONIC TAX ADMINISTRATION ADVISORY COMMITTEE REGARDING IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury shall ensure that the advisory group convened by the Secretary pursuant to section 2001(b)(2) of the Internal Revenue Service Restructuring and Reform Act of 1998 (commonly known as the Electronic Tax Administration Advisory Committee) studies (including by providing organized public forums) and makes recommendations to the Secretary regarding methods to prevent identity theft and refund fraud.

SEC. 2003. INFORMATION SHARING AND ANALYSIS CENTER.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) may participate in an information sharing and analysis center to centralize, standardize, and enhance data compilation and analysis to facilitate sharing actionable data and information with respect to identity theft tax refund fraud.

(b) DEVELOPMENT OF PERFORMANCE METRICS.—The Secretary of the Treasury (or the Secretary's delegate) shall develop metrics for measuring the success of such center in detecting and preventing identity theft tax refund fraud.

(c) DISCLOSURE.—

(1) IN GENERAL.—Section 6103(k), as amended by this Act, is amended by adding at the end the following new paragraph:

''(14) DISCLOSURE OF RETURN INFORMATION FOR PURPOSES OF CYBERSECURITY AND THE PREVENTION OF IDENTITY THEFT TAX REFUND FRAUD.—

''(A) IN GENERAL.—Under such procedures and subject to such conditions as the Secretary may prescribe, the Secretary may disclose specified return information to specified ISAC participants to the extent that the Secretary determines such disclosure is in furtherance of effective Federal tax administration relating to the detection or prevention of identity theft tax refund fraud, validation of taxpayer identity, authentication of taxpayer returns, or detection or prevention of cybersecurity threats.

''(B) SPECIFIED ISAC PARTICIPANTS.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified ISAC participant' means—

''(I) any person designated by the Secretary as having primary responsibility for a function performed with respect to the information sharing and analysis center described in section 2003(a) of the Taxpayer First Act of 2018, and

''(II) any person subject to the requirements of section 7216 and which is a participant in such information sharing and analysis center.

''(ii) INFORMATION SHARING AGREEMENT.—Such term shall not include any person unless such person has entered into a written agreement with the Secretary setting forth the terms and conditions for the disclosure of information to such person under this paragraph, including requirements regarding the protection and safeguarding of such information by such person.

''(C) SPECIFIED RETURN INFORMATION.—For purposes of this paragraph, the term 'specified return information' means—

''(i) in the case of a return which is in connection with a case of potential identity theft refund fraud—

''(I) in the case of such return filed electronically, the internet protocol address, device identification, email domain name, speed of completion, method of authentication, refund method, and such other return information related to the electronic filing characteristics of such return as the Secretary may identify for purposes of this subclause, and

''(II) in the case of such return prepared by a tax return preparer, identifying information with respect to such tax return preparer, including the preparer taxpayer identification number and electronic filer identification number of such preparer,

''(ii) in the case of a return which is in connection with a case of a identity theft refund fraud which has been confirmed by the Secretary (pursuant to such procedures as the Secretary may provide), the information referred to in subclauses (I) and (II) of clause (i), the name and taxpayer identification number of the taxpayer as it appears on the return, and any bank account and routing information provided for making a refund in connection with such return, and

''(iii) in the case of any cybersecurity threat to the Internal Revenue Service, information similar to the information described in subclauses (I) and (II) of clause (i) with respect to such threat.

''(D) RESTRICTION ON USE OF DISCLOSED INFORMATION.—

''(i) DESIGNATED THIRD PARTIES.—Any return information received by a person described in subparagraph (B)(i)(I) shall be used only for the purposes of and to the extent necessary in—

''(I) performing the function such person is designated to perform under such subparagraph,

''(II) facilitating disclosures authorized under subparagraph (A) to persons described in subparagraph (B)(i)(II), and

''(III) facilitating disclosures authorized under subsection (d) to participants in such information sharing and analysis center.

''(ii) RETURN PREPARERS.—Any return information received by a person described in subparagraph (B)(i)(II) shall be treated for purposes of section 7216 as information furnished to such person for, or in connection with, the preparation of a return of the tax imposed under chapter 1.

''(E) DATA PROTECTION AND SAFEGUARDS.—Return information disclosed under this paragraph shall be subject to such protections and safeguards as the Secretary may require in regulations or other guidance or in the written agreement referred to in subparagraph (B)(ii). Such written agreement shall include a requirement that any unauthorized access to information disclosed under this paragraph, and any breach of any system in which such information is held, be reported to the Treasury Inspector General for Tax Administration.''.

(2) APPLICATION OF CIVIL AND CRIMINAL PENALTIES.—

(A) Section 6103(a)(3), as amended by this Act, is amended by striking ''or (13)'' and inserting ''(13), or (14)''.

(B) Section 7213(a)(2), as amended by this Act, is amended by striking ''or (13)'' and inserting ''(13), or (14)''.

SEC. 2004. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) is amended by adding at the end the following new paragraph:

''(9) DISCLOSURE TO CONTRACTORS AND OTHER AGENTS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed to any contractor or other agent of a Federal, State, or local agency unless such agency, to the satisfaction of the Secretary—

''(A) has requirements in effect which require each such contractor or other agent which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

''(B) agrees to conduct an on-site review every 3 years (or a mid-point review in the case of contracts or agreements of less than 3 years in duration) of each contractor or other agent to determine compliance with such requirements,

''(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

''(D) certifies to the Secretary for the most recent annual period that such contractor or other agent is in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor or other agent, a description of the contract or agreement with such contractor or other agent, and the duration of such contract or agreement. The requirements of this paragraph shall not apply to disclosures pursuant to subsection (n) for purposes of Federal tax administration.''.

(b) CONFORMING AMENDMENT.—Section 6103(p)(8)(B) is amended by inserting ''or paragraph (9)'' after ''subparagraph (A)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after December 31, 2022.

SEC. 2005. REPORT ON ELECTRONIC PAYMENTS.

Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate), in coordination with the Bureau of Fiscal Service and the Internal Revenue Service, and in consultation with private sector financial institutions, shall submit a written report to Congress describing how the government can utilize new payment platforms to increase the number of tax refunds paid by electronic funds transfer. Such report shall weigh the interests of reducing identity theft tax refund fraud, reducing the Federal Government's costs in delivering tax refunds, the costs and any associated fees charged to taxpayers (including monthly and point-of-service fees) to access their tax refunds, the impact on individuals who do not have access to financial accounts or institutions, and ensuring payments are made to accounts at a financial institution that complies with section 21 of the Federal Deposit Insurance Act, chapter 2 of title I of Public Law 91–508, and subchapter II of chapter 53 of title 31, United States Code (commonly referred to collectively as the ''Bank Secrecy Act'') and the USA PATRIOT Act. Such report shall include any legislative recommendations necessary to accomplish these goals.

SEC. 2006. IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall establish a program to issue, upon the request of any individual, a number which may be used in connection with such individual's social security number (or other identifying information with respect to such individual as determined by the Secretary) to assist the Secretary in verifying such individual's identity.

(b) REQUIREMENTS.—

(1) ANNUAL EXPANSION.—For each calendar year beginning after the date of the enactment of this Act, the Secretary shall provide numbers through the program described in subsection (a) to individuals residing in such States as the Secretary deems appropriate, provided that the total number of States served by such program during such year is greater than the total number of States served by such program during the preceding year.

(2) NATIONWIDE AVAILABILITY.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall ensure that the program described in subsection (a) is made available to any individual residing in the United States.

SEC. 2007. SINGLE POINT OF CONTACT FOR TAX-RELATED IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall establish and implement procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to tax-related identity theft has a single point of contact at the Internal Revenue Service throughout the processing of the taxpayer's case. The single point of contact shall track the taxpayer's case to completion and coordinate with other Internal Revenue Service employees to resolve case issues as quickly as possible.

(b) SINGLE POINT OF CONTACT.—

(1) IN GENERAL.—For purposes of subsection (a), the single point of contact shall consist of a team or subset of specially trained employees who—

(A) have the ability to work across functions to resolve the issues involved in the taxpayer's case; and

(B) shall be accountable for handling the case until its resolution.

(2) TEAM OR SUBSET.—The employees included within the team or subset described in paragraph (1) may change as required to meet the needs of the Internal Revenue Service, provided that procedures have been established to—

(A) ensure continuity of records and case history; and

(B) notify the taxpayer when appropriate.

SEC. 2008. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 77 is amended by adding at the end the following new section:

''SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

''(a) IN GENERAL.—If the Secretary determines that there has been or may have been an unauthorized use of the identity of any individual, the Secretary shall, without jeopardizing an investigation relating to tax administration—

''(1) as soon as practicable, notify the individual of such determination and provide—

''(A) instructions on how to file a report with law enforcement regarding the unauthorized use of the identity of the individual,

''(B) the identification of any forms necessary for the individual to complete and submit to law enforcement to permit access to personal information of the individual during the investigation,

''(C) information regarding actions the individual may take in order to protect the individual from harm relating to such unauthorized use, and

''(D) an offer of identity protection measures to be provided to the individual by the Internal Revenue Service, such as the use of an identity protection personal identification number, and

''(2) at the time the information described in paragraph (1) is provided (or, if not available at such time, as soon as practicable thereafter), issue additional notifications to such individual (or such individual's designee) regarding—

''(A) whether an investigation has been initiated in regards to such unauthorized use,

''(B) whether the investigation substantiated an unauthorized use of the identity of the individual, and

''(C) whether—

''(i) any action has been taken against a person relating to such unauthorized use, or

''(ii) any referral has been made for criminal prosecution of such person and, to the extent such information is available, whether such person has been criminally charged by indictment or information.

''(b) EMPLOYMENT-RELATED IDENTITY THEFT.—

''(1) IN GENERAL.—For purposes of this section, the unauthorized use of the identity of an individual includes the unauthorized use of the identity of the individual to obtain employment.

''(2) DETERMINATION OF EMPLOYMENT-RELATED IDENTITY THEFT.—For purposes of this section, in making a determination as to whether there has been or may have been an unauthorized use of the identity of an individual to obtain employment, the Secretary shall review any information—

''(A) obtained from a statement described in section 6051 or an information return relating to compensation for services rendered other than as an employee, or

''(B) provided to the Internal Revenue Service by the Social Security Administration regarding any statement described in section 6051,

which indicates that the social security account number provided on such statement or information return does not correspond with the name provided on such statement or information return or the name on the tax return reporting the income which is included on such statement or information return.''.

(b) ADDITIONAL MEASURES.—

(1) EXAMINATION OF BOTH PAPER AND ELECTRONIC STATEMENTS AND RETURNS.—The Secretary of the Treasury (or the Secretary's delegate) shall examine the statements, information returns, and tax returns described in section 7529(b)(2) of the Internal Revenue Code of 1986 (as added by subsection (a)) for any evidence of employment-related identity theft, regardless of whether such statements or returns are submitted electronically or on paper.

(2) IMPROVEMENT OF EFFECTIVE RETURN PROCESSING PROGRAM WITH SOCIAL SECURITY ADMINISTRATION.—Section 232 of the Social Security Act (42 U.S.C. 432) is amended by inserting after the third sentence the following: ''For purposes of carrying out the return processing program described in the preceding sentence, the Commissioner of Social Security shall request, not less than annually, such information described in section 7529(b)(2) of the Internal Revenue Code of 1986 as may be necessary to ensure the accuracy of the records maintained by the Commissioner of Social Security related to the amounts of wages paid to, and the amounts of self-employment income derived by, individuals.''.

(3) UNDERREPORTING OF INCOME.—The Secretary (or the Secretary's delegate) shall establish procedures to ensure that income reported in connection with the unauthorized use of a taxpayer's identity is not taken into account in determining any penalty for underreporting of income by the victim of identity theft.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

''Sec. 7529. Notification of suspected identity theft.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date that is 6 months after the date of the enactment of this Act.

SEC. 2009. GUIDELINES FOR STOLEN IDENTITY REFUND FRAUD CASES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary (or the Secretary's delegate), in consultation with the National Taxpayer Advocate, shall develop and implement publicly available guidelines for management of cases involving stolen

identity refund fraud in a manner that reduces the administrative burden on taxpayers who are victims of such fraud.

(b) STANDARDS AND PROCEDURES TO BE CONSIDERED.—The guidelines described in subsection (a) may include—

(1) standards for—

(A) the average length of time in which a case involving stolen identity refund fraud should be resolved;

(B) the maximum length of time, on average, a taxpayer who is a victim of stolen identity refund fraud and is entitled to a tax refund which has been stolen should have to wait to receive such refund; and

(C) the maximum number of offices and employees within the Internal Revenue Service with whom a taxpayer who is a victim of stolen identity refund fraud should be required to interact in order to resolve a case;

(2) standards for opening, assigning, reassigning, or closing a case involving stolen identity refund fraud; and

(3) procedures for implementing and accomplishing the standards described in paragraphs (1) and (2), and measures for evaluating such procedures and determining whether such standards have been successfully implemented.

SEC. 2010. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

''(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

''(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

''(A) by substituting '$1,000' for '$250', and

''(B) by substituting '$50,000' for '$10,000'.

''(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this subsection applies and to which it does not apply.''.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking ''$1,000'' and inserting ''$1,000 ($100,000 in the case of a disclosure or use to which section 6713(b) applies)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses on or after the date of the enactment of this Act.

Subtitle B—Development of Information Technology

SEC. 2101. MANAGEMENT OF INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.

(a) DUTIES AND RESPONSIBILITIES OF INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—Section 7803, as amended by section 1001, is amended by adding at the end the following new subsection:

''(f) INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—

''(1) IN GENERAL.—There shall be in the Internal Revenue Service an Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the 'IRS CIO') who shall be appointed by the Commissioner of the Internal Revenue Service.

''(2) CENTRALIZED RESPONSIBILITY FOR INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.—The Commissioner of the Internal Revenue Service (and the Secretary) shall act through the IRS CIO with respect to all development, implementation, and maintenance of information technology for the Internal Revenue Service. Any reference in this subsection to the IRS CIO which directs the IRS CIO to take any action, or to assume any responsibility, shall be treated as a reference to the Commissioner of the Internal Revenue Service acting through the IRS CIO.

''(3) GENERAL DUTIES AND RESPONSIBILITIES.—The IRS CIO shall—

''(A) be responsible for the development, implementation, and maintenance of information technology for the Internal Revenue Service,

''(B) ensure that the information technology of the Internal Revenue Service is secure and integrated,

''(C) maintain operational control of all information technology for the Internal Revenue Service,

''(D) be the principal advocate for the information technology needs of the Internal Revenue Service, and

''(E) consult with the Chief Procurement Officer of the Internal Revenue Service to ensure that the information technology acquired for the Internal Revenue Service is consistent with—

''(i) the goals and requirements specified in subparagraphs (A) through (D), and

''(ii) the strategic plan developed under paragraph (4).

''(4) STRATEGIC PLAN.—

''(A) IN GENERAL.—The IRS CIO shall develop and implement a multiyear strategic plan for the information technology needs of the Internal Revenue Service. Such plan shall—

''(i) include performance measurements of such technology and of the implementation of such plan,

''(ii) include a plan for an integrated enterprise architecture of the information technology of the Internal Revenue Service,

''(iii) include and take into account the resources needed to accomplish such plan,

''(iv) take into account planned major acquisitions of information technology by the Internal Revenue Service, including Customer Account Data Engine 2 and the Enterprise Case Management System, and

''(v) align with the needs and strategic plan of the Internal Revenue Service.

''(B) PLAN UPDATES.—The IRS CIO shall, not less frequently than annually, review and update the strategic plan under subparagraph (A) (including the plan for an integrated enterprise architecture described in subparagraph (A)(ii)) to take into account the development of new information technology and the needs of the Internal Revenue Service.

''(5) SCOPE OF AUTHORITY.—

''(A) INFORMATION TECHNOLOGY.—For purposes of this subsection, the term 'information technology' has the meaning given such term by section 11101 of title 40, United States Code.

''(B) INTERNAL REVENUE SERVICE.—Any reference in this subsection to the Internal Revenue Service includes a reference to all components of the Internal Revenue Service, including—

''(i) the Office of the Taxpayer Advocate,

''(ii) the Criminal Investigation Division of the Internal Revenue Service, and

''(iii) except as otherwise provided by the Secretary with respect to information technology related to matters described in subsection (b)(3)(B), the Office of the Chief Counsel.''.

(b) INDEPENDENT VERIFICATION AND VALIDATION OF THE CUSTOMER ACCOUNT DATA ENGINE 2 AND ENTERPRISE CASE MANAGEMENT SYSTEM.—

(1) IN GENERAL.—The Commissioner of the Internal Revenue Service shall enter into a contract with an independent reviewer to verify and validate the implementation plans (including the performance milestones and cost estimates included in such plans) developed for the Customer Account Data Engine 2 and the Enterprise Case Management System.

(2) DEADLINE FOR COMPLETION.—Such contract shall require that such verification and validation be completed not later than the date which is 1 year after the date of the enactment of this Act.

(3) APPLICATION TO PHASES OF CADE 2.—

(A) IN GENERAL.—Paragraphs (1) and (2) shall not apply to phase 1 of the Customer Account Data Engine 2 and shall apply separately to each other phase.

(B) DEADLINE FOR COMPLETING PLANS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of the Internal Revenue Service shall complete the development of plans for all phases of the Customer Account Data Engine 2.

(C) DEADLINE FOR COMPLETION OF VERIFICATION AND VALIDATION OF PLANS.—In the case of any phase after phase 2 of the Customer Account Data Engine 2, paragraph (2) shall be applied by substituting ''the date on which the plan for such phase was completed'' for ''the date of the enactment of this Act''.

(c) COORDINATION OF IRS CIO AND CHIEF PROCUREMENT OFFICER OF THE INTERNAL REVENUE SERVICE.—

(1) IN GENERAL.—The Chief Procurement Officer of the Internal Revenue Service shall—

(A) identify all significant IRS information technology acquisitions and provide written notification to the Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the ''IRS CIO'') of each such acquisition in advance of such acquisition, and

(B) regularly consult with the IRS CIO regarding acquisitions of information technology for the Internal Revenue Service, including meeting with the IRS CIO regarding such acquisitions upon request.

(2) SIGNIFICANT IRS INFORMATION TECHNOLOGY ACQUISITIONS.—For purposes of this subsection, the term ''significant IRS information technology acquisitions'' means—

(A) any acquisition of information technology for the Internal Revenue Service in excess of $1,000,000, and

(B) such other acquisitions of information technology for the Internal Revenue Service (or categories of such acquisitions) as the IRS CIO, in consultation with the Chief Procurement Officer of the Internal Revenue Service, may identify.

(3) SCOPE.—Terms used in this subsection which are also used in section 7803(f) of the Internal Revenue Code of 1986 (as amended by subsection (a)) shall have the same meaning as when used in such section.

SEC. 2102. DEVELOPMENT OF ONLINE ACCOUNTS AND PORTALS.

(a) IN GENERAL.—The Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall—

(1) develop secure individualized online accounts to provide services to taxpayers and their designated return preparers, including obtaining taxpayer information, making payment of taxes, sharing documentation, and (to the extent feasible) addressing and correcting issues, and

(2) develop a process for the acceptance of tax forms, and supporting documentation, in digital or other electronic format.

(b) ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the processes described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers, including face-to-face taxpayer assistance and services provided by phone, and

(2) comply with applicable security standards and guidelines.

(c) PROCESS FOR DEVELOPING ONLINE ACCOUNTS.—

(1) DEVELOPMENT OF PLAN.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a written report describing the Secretary's plan for developing the secure individualized online accounts described in subsection (a)(1). Such plan shall address the feasibility of taxpayers addressing and correcting issues through such accounts

and whether access to such accounts should be restricted and in what manner.

(2) DEADLINE.—The Secretary shall make every reasonable effort to make the secure individualized online accounts described in subsection (a)(1) available to taxpayers by December 31, 2023.

SEC. 2103. INTERNET PLATFORM FOR FORM 1099 FILINGS.

(a) IN GENERAL.—Not later than January 1, 2023, the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall make available an Internet website or other electronic media, with a user interface and functionality similar to the Business Services Online Suite of Services provided by the Social Security Administration, that will provide access to resources and guidance provided by the Internal Revenue Service and will allow persons to—

(1) prepare and file Forms 1099,

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service, and

(3) maintain a record of completed and submitted Forms 1099.

(b) ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the services described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers, and

(2) comply with applicable security standards and guidelines.

SEC. 2104. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

(a) IN GENERAL.—Subchapter A of chapter 80 is amended by adding at the end the following new section:

''SEC. 7812. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

''In the case of any position which is critical to the functionality of the information technology operations of the Internal Revenue Service—

''(1) section 9503 of title 5, United States Code, shall be applied—

''(A) by substituting 'during the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023' for 'Before September 30, 2013 in subsection (a)',

''(B) without regard to subparagraph (B) of subsection (a)(1), and

''(C) by substituting 'the date of the enactment of the Taxpayer First Act of 2018' for 'June 1, 1998' in subsection (a)(6),

''(2) section 9504 of such title 5 shall be applied by substituting 'During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023' for 'Before September 30, 2013' each place it appears in subsections (a) and (b), and

''(3) section 9505 of such title shall be applied—

''(A) by substituting 'During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023' for 'Before September 30, 2013' in subsection (a), and

''(B) by substituting 'the information technology operations' for 'significant functions' in subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 80 is amended by adding at the end the following new item:

''Sec. 7812. Streamlined critical pay authority for information technology positions.''.

Subtitle C—Modernization of Consent-based Income Verification System

SEC. 2201. DISCLOSURE OF TAXPAYER INFORMATION FOR THIRD-PARTY INCOME VERIFICATION.

(a) IN GENERAL.—Not later than 1 year after the close of the 2-year period described in subsection (d)(1), the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this section as the ''Secretary'') shall implement a program to ensure that any qualified disclosure—

(1) is fully automated and accomplished through the Internet, and

(2) is accomplished in as close to real-time as is practicable.

(b) QUALIFIED DISCLOSURE.—For purposes of this section, the term ''qualified disclosure'' means a disclosure under section 6103(c) of the Internal Revenue Code of 1986 of returns or return information by the Secretary to a person seeking to verify the income or creditworthiness of a taxpayer who is a borrower in the process of a loan application.

(c) APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the program described in subsection (a) complies with applicable security standards and guidelines.

(d) USER FEE.—

(1) IN GENERAL.—During the 2-year period beginning on the first day of the 6th calendar month beginning after the date of the enactment of this Act, the Secretary shall assess and collect a fee for qualified disclosures (in addition to any other fee assessed and collected for such disclosures) at such rates as the Secretary determines are sufficient to cover the costs related to implementing the program described in subsection (a), including the costs of any necessary infrastructure or technology.

(2) DEPOSIT OF COLLECTIONS.—Amounts received from fees assessed and collected under paragraph (1) shall be deposited in, and credited to, an account solely for the purpose of carrying out the activities described in subsection (a). Such amounts shall be available to carry out such activities without need of further appropriation and without fiscal year limitation.

SEC. 2202. LIMIT REDISCLOSURES AND USES OF CONSENT-BASED DISCLOSURES OF TAX RETURN INFORMATION.

(a) IN GENERAL.—Section 6103(c) is amended by adding at the end the following: ''Persons designated by the taxpayer under this subsection to receive return information shall not use the information for any purpose other than the express purpose for which consent was granted and shall not disclose return information to any other person without the express permission of, or request by, the taxpayer.''.

(b) APPLICATION OF PENALTIES.—Section 6103(a)(3) is amended by inserting ''subsection (c),'' after ''return information under''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after the date of the enactment of this Act.

Subtitle D—Expanded Use of Electronic Systems

SEC. 2301. ELECTRONIC FILING OF RETURNS.

(a) IN GENERAL.—Section 6011(e)(2)(A) is amended by striking ''250'' and inserting ''the applicable number of''.

(b) APPLICABLE NUMBER.—Section 6011(e) is amended by striking paragraph (5) and inserting the following new paragraphs:

''(5) APPLICABLE NUMBER.—

''(A) IN GENERAL.—For purposes of paragraph (2)(A), the applicable number shall be—

''(i) except as provided in subparagraph (B), in the case of calendar years before 2020, 250,

''(ii) in the case of calendar year 2020, 100, and

''(iii) in the case of calendar years after 2020, 10.

''(B) SPECIAL RULE FOR PARTNERSHIPS FOR 2018 AND 2019.—In the case of a partnership, for any calendar year before 2020, the applicable number shall be—

''(i) in the case of calendar year 2018, 200, and

''(ii) in the case of calendar year 2019, 150.

''(6) PARTNERSHIPS REQUIRED TO FILE ON MAGNETIC MEDIA.—Notwithstanding paragraph (2)(A), the Secretary shall require partnerships having more than 100 partners to file returns on magnetic media.''.

(c) RETURNS FILED BY A TAX RETURN PREPARER.—Section 6011(e)(3) is amended by adding at the end the following new subparagraph:

''(D) EXCEPTION FOR CERTAIN PREPARERS LOCATED IN AREAS WITHOUT INTERNET ACCESS.—The Secretary may waive the requirement of subparagraph (A) if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement by reason of being located in a geographic area which does not have access to internet service (other than dial-up or satellite service).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2302. UNIFORM STANDARDS FOR THE USE OF ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.

Section 6061(b)(3) is amended to read as follows:

''(3) PUBLISHED GUIDANCE.—

''(A) IN GENERAL.—The Secretary shall publish guidance as appropriate to define and implement any waiver of the signature requirements or any method adopted under paragraph (1).

''(B) ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.—Not later than 6 months after the date of the enactment of this subparagraph, the Secretary shall publish guidance to establish uniform standards and procedures for the acceptance of taxpayers' signatures appearing in electronic form with respect to any request for disclosure of a taxpayer's return or return information under section 6103(c) to a practitioner or any power of attorney granted by a taxpayer to a practitioner.

''(C) PRACTITIONER.—For purposes of subparagraph (B), the term 'practitioner' means any individual in good standing who is regulated under section 330 of title 31, United States Code.''.

SEC. 2303. PAYMENT OF TAXES BY DEBIT AND CREDIT CARDS.

Section 6311(d)(2) is amended by adding at the end the following: ''The preceding sentence shall not apply to the extent that the Secretary ensures that any such fee or other consideration is fully recouped by the Secretary in the form of fees paid to the Secretary by persons paying taxes imposed under subtitle A with credit, debit, or charge cards pursuant to such contract. Notwithstanding the preceding sentence, the Secretary shall seek to minimize the amount of any fee or other consideration that the Secretary pays under any such contract.''.

SEC. 2304. REQUIREMENT THAT ELECTRONICALLY PREPARED PAPER RETURNS INCLUDE SCANNABLE CODE.

(a) IN GENERAL.—Subsection (e) of section 6011, as amended by this Act, is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR RETURNS PREPARED ELECTRONICALLY AND SUBMITTED ON PAPER.—The Secretary shall require that any return of tax which is prepared electronically, but is printed and filed on paper, bear a code which can, when scanned, convert such return to electronic format.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 6011(e) is amended by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (7)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns of tax the due date for which (determined without regard to extensions) is after December 31, 2020.

SEC. 2305. AUTHENTICATION OF USERS OF ELECTRONIC SERVICES ACCOUNTS.

Beginning 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall verify the identity of any individual opening an e-Services account with the Internal Revenue Service before such individual is able to use the e-Services tools.

Subtitle E—Other Provisions

SEC. 2401. REPEAL OF PROVISION REGARDING CERTAIN TAX COMPLIANCE PROCEDURES AND REPORTS.

Section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 6012 note) is repealed.

SEC. 2402. COMPREHENSIVE TRAINING STRATEGY.

Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall submit to Congress a written report providing a comprehensive training strategy for employees of the Internal Revenue Service, including—

(1) a plan to streamline current training processes, including an assessment of the utility of further consolidating internal training programs, technology, and funding,

(2) a plan to develop annual training regarding taxpayer rights, including the role of the Office of the Taxpayer Advocate, for employees that interface with taxpayers and their managers,

(3) a plan to improve technology-based training,

(4) proposals to—

(A) focus employee training on early, fair, and efficient resolution of taxpayer disputes for employees that interface with taxpayers and their managers, and

(B) ensure consistency of skill development and employee evaluation throughout the Internal Revenue Service, and

(5) a thorough assessment of the funding necessary to implement such strategy.

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Reform of Laws Governing Internal Revenue Service Employees

SEC. 3001. ELECTRONIC RECORD RETENTION.

(a) RETENTION OF RECORDS.—

(1) IN GENERAL.—Email records of the Internal Revenue Service shall be retained in an appropriate electronic system that supports records management and litigation requirements, including the capability to identify, retrieve, and retain the records, in accordance with the requirements described in paragraph (2).

(2) REQUIREMENTS.—

(A) PRIOR TO CERTIFICATION.—The Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall retain all email records generated on or after the date of the enactment of this Act and before the date on which the Treasury Inspector General for Tax Administration makes the certification under subsection (c)(1).

(B) PRINCIPAL OFFICERS AND SPECIFIED EMPLOYEES.—Not later than December 31, 2019, the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall maintain email records of all principal officers and specified employees of the Internal Revenue Service for a period of not less than 15 years beginning on the date such record was generated.

(b) TRANSMISSION OF RECORDS TO THE NATIONAL ARCHIVES.—Not later than 15 years after the date on which an email record of a principal officer or specified employee of the Internal Revenue Service is generated, the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall transfer such email record to the Archivist of the United States.

(c) COMPLIANCE.—

(1) CERTIFICATION.—On the date that the Treasury Inspector General for Tax Administration determines that the Internal Revenue Service has a program in place that complies with the requirements of subsections (a)(2)(B) and (b), the Treasury Inspector General for Tax Administration shall certify to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that the Internal Revenue Service is in compliance with such requirements.

(2) REPORTS.—

(A) INTERIM REPORT.—Not later than December 31, 2019, the Treasury Inspector General for Tax Administration shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the steps being taken by the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service to comply with the requirements of subsections (a)(2)(B) and (b).

(B) FINAL REPORT.—Not later than April 1, 2020, the Treasury Inspector General for Tax Administration shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate describing whether the Internal Revenue Service is in compliance with the requirements of subsections (a)(2)(B) and (b).

(d) DEFINITIONS.—For purposes of this section—

(1) PRINCIPAL OFFICER.—The term ''principal officer'' means, with respect to the Internal Revenue Service—

(A) any employee whose position is listed under the Internal Revenue Service in the most recent version of the United States Government Manual published by the Office of the Federal Register;

(B) any employee who is a senior staff member reporting directly to the Commissioner of Internal Revenue or the Chief Counsel for the Internal Revenue Service; and

(C) any associate counsel, deputy counsel, or division head in the Office of the Chief Counsel for the Internal Revenue Service.

(2) SPECIFIED EMPLOYEE.—The term ''specified employee'' means, with respect to the Internal Revenue Service, any employee who—

(A) holds a Senior Executive Service position (as defined in section 3132 of title 5, United States Code) in the Internal Revenue Service or the Office of Chief Counsel for the Internal Revenue Service; and

(B) is not a principal officer of the Internal Revenue Service.

SEC. 3002. PROHIBITION ON REHIRING ANY EMPLOYEE OF THE INTERNAL REVENUE SERVICE WHO WAS INVOLUNTARILY SEPARATED FROM SERVICE FOR MISCONDUCT.

(a) IN GENERAL.—Section 7804 is amended by adding at the end the following new subsection:

''(d) PROHIBITION ON REHIRING EMPLOYEES INVOLUNTARILY SEPARATED.—The Commissioner may not hire any individual previously employed by the Commissioner who was removed for misconduct under this subchapter or chapter 43 or chapter 75 of title 5, United States Code, or whose employment was terminated under section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 7804 note).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the hiring of employees after the date of the enactment of this Act.

SEC. 3003. NOTIFICATION OF UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Subsection (e) of section 7431 is amended by adding at the end the following new sentences: ''The Secretary shall also notify such taxpayer if the Internal Revenue Service or a Federal or State agency (upon notice to the Secretary by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee's unauthorized inspection or disclosure of the taxpayer's return or return information. The notice described in this subsection shall include the date of the unauthorized inspection or disclosure and the rights of the taxpayer under such administrative determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to determinations proposed after the date which is 180 days after the date of the enactment of this Act.

Subtitle B—Provisions Relating to Exempt Organizations

SEC. 3101. MANDATORY E-FILING BY EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Section 6033 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) MANDATORY ELECTRONIC FILING.—Any organization required to file a return under this section shall file such return in electronic form.''.

(b) CONFORMING AMENDMENT.—Paragraph (7) of section 527(j) is amended by striking ''if the organization has'' and all that follows through ''such calendar year''.

(c) INSPECTION OF ELECTRONICALLY FILED ANNUAL RETURNS.—Subsection (b) of section 6104 is amended by adding at the end the following: ''Any annual return required to be filed electronically under section 6033(n) shall be made available by the Secretary to the public as soon as practicable in a machine readable format.''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) TRANSITIONAL RELIEF.—

(A) SMALL ORGANIZATIONS.—

(i) IN GENERAL.—In the case of any small organizations, or any other organizations for which the Secretary of the Treasury or the Secretary's delegate (hereafter referred to in this paragraph as the ''Secretary'') determines the application of the amendments made by this section would cause undue burden without a delay, the Secretary may delay the application of such amendments, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

(ii) SMALL ORGANIZATION.—For purposes of clause (i), the term ''small organization'' means any organization—

(I) the gross receipts of which for the taxable year are less than $200,000; and

(II) the aggregate gross assets of which at the end of the taxable year are less than $500,000.

(B) ORGANIZATIONS FILING FORM 990–T.—In the case of any organization described in section 511(a)(2) of the Internal Revenue Code of 1986 which is subject to the tax imposed by section 511(a)(1) of such Code on its unrelated business taxable income, or any organization required to file a return under section 6033 of such Code and include information under subsection (e) thereof, the Secretary may delay the application of the amendments made by this section, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

SEC. 3102. NOTICE REQUIRED BEFORE REVOCATION OF TAX EXEMPT STATUS FOR FAILURE TO FILE RETURN.

(a) IN GENERAL.—Section 6033(j)(1) is amended by striking ''If an organization'' and inserting the following:

''(A) NOTICE.—

''(i) IN GENERAL.—After an organization described in subsection (a)(1) or (i) fails to file the annual return or notice required under either subsection for 2 consecutive years, the Secretary shall notify the organization—

''(I) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

''(II) about the revocation that will occur under subparagraph (B) if the organization fails to file such a return or notice by the due date for the next such return or notice required to be filed.

The notification under the preceding sentence shall include information about how to comply with the filing requirements under subsection (a)(1) and (i).

''(B) REVOCATION.—If an organization''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to failures to file returns or notices for 2 consecutive years if the return or notice for the second year is required to be filed after December 31, 2018.

Subtitle C—Tax Court

SEC. 3301. DISQUALIFICATION OF JUDGE OR MAGISTRATE JUDGE OF THE TAX COURT.

(a) IN GENERAL.—Part II of subchapter C of chapter 76 is amended by adding at the end the following new section:

''SEC. 7467. DISQUALIFICATION OF JUDGE OR MAGISTRATE JUDGE OF THE TAX COURT.

''Section 455 of title 28, United States Code, shall apply to judges and magistrate judges of the Tax Court and to proceedings of the Tax Court.''.

(b) CLERICAL AMENDMENT.—The table of sections for such part is amended by adding at the end the following new item:

''Sec. 7467. Disqualification of judge or magistrate judge of the Tax Court.''.

SEC. 3302. OPINIONS AND JUDGMENTS.

(a) IN GENERAL.—Section 7459 is amended by striking all the precedes subsection (c) and inserting the following:

''SEC. 7459. OPINIONS AND JUDGMENTS.

''(a) REQUIREMENT.—An opinion upon any proceeding instituted before the Tax Court and a judgment thereon shall be made as quickly as practicable. The judgment shall be made by a judge in accordance with the opinion of the Tax Court, and such judgment so made shall, when entered, be the judgment of the Tax Court.

''(b) INCLUSION OF FINDINGS OF FACT IN OPINION.—It shall be the duty of the Tax Court and of each division to include in its opinion or memorandum opinion upon any proceeding, its findings of fact. The Tax Court shall issue in writing all of its findings of fact, opinions, and memorandum opinions. Subject to such conditions as the Tax Court may by rule provide, the requirements of this subsection and of section 7460 are met if findings of fact or opinion are stated orally and recorded in the transcript of the proceedings.''.

(b) REFERENCES.—Section 7459 is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) REFERENCES.—Any reference in this title to a decision or report of the Tax Court shall be treated as a reference to a judgment or opinion of the Tax Court, respectively.''.

(c) CONFORMING AMENDMENT.—The item relating to section 7459 in the table of sections for part II of subchapter C of chapter 76 is amended to read as follows:

''Sec. 7459. Opinions and judgments.''.

(d) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, decisions, reports, rules, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions, in connection with the Tax Court, which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the Tax Court.

SEC. 3303. TITLE OF SPECIAL TRIAL JUDGE CHANGED TO MAGISTRATE JUDGE OF THE TAX COURT.

(a) IN GENERAL.—Section 7443A is amended—

(1) by striking ''special trial judges'' in subsections (a) and (e) and inserting ''magistrate judges of the Tax Court'',

(2) by striking ''special trial judges of the court'' in subsection (b) and inserting ''magistrate judges of the Tax Court'', and

(3) by striking ''special trial judge'' in subsections (c) and (d) and inserting ''magistrate judge of the Tax Court''.

(b) CONFORMING AMENDMENTS.—

(1) The heading of section 7443A is amended by striking ''**SPECIAL TRIAL JUDGES**'' and inserting ''**MAGISTRATE JUDGES OF THE TAX COURT**''.

(2) The heading of section 7443A(b) is amended by striking ''SPECIAL TRIAL JUDGES'' and inserting ''MAGISTRATE JUDGES OF THE TAX COURT''.

(3) The item relating to section 7443A in the table of sections for part I of subchapter C of chapter 76 is amended to read as follows:

''Sec. 7443A. Magistrate judges of the Tax Court.''.

(4) The heading of section 7448 is amended by striking ''**SPECIAL TRIAL JUDGES**'' and inserting ''**MAGISTRATE JUDGES OF THE TAX COURT**''.

(5) Section 7448 is amended—

(A) by striking ''special trial judge's'' each place it appears in subsections (a)(6), (c)(1), (d), and (m)(1) and inserting ''magistrate judge of the Tax Court's'', and

(B) by striking ''special trial judge'' each place it appears other than in subsection (n) and inserting ''magistrate judge of the Tax Court''.

(6) Section 7448(n) is amended—

(A) by striking ''special trial judge which are allowable'' and inserting ''magistrate judge of the Tax Court which are allowable'', and

(B) by striking ''special trial judge of the Tax Court'' both places it appears and inserting ''magistrate judge of the Tax Court''.

(7) The heading of section 7448(b)(2) is amended by striking ''SPECIAL TRIAL JUDGES'' and inserting ''MAGISTRATE JUDGES OF THE TAX COURT''.

(8) The item relating to section 7448 in the table of sections for part I of subchapter C of chapter 76 is amended to read as follows:

''Sec. 7448. Annuities to surviving spouses and dependent children of judges and magistrate judges of the Tax Court.''.

(9) Section 7456(a) is amended—

(A) by striking ''special trial judge'' each place it appears and inserting ''magistrate judge'', and

(B) by striking ''(or by the clerk'' and inserting ''of the Tax Court (or by the clerk''.

(10) Section 7466(a) is amended by striking ''special trial judge'' and inserting ''magistrate judge''.

(11) Section 7470A is amended by striking ''special trial judges'' both places it appears in subsections (a) and (b) and inserting ''magistrate judges''.

(12) Section 7471(a)(2)(A) is amended by striking ''special trial judges'' and inserting ''magistrate judges''.

(13) Section 7471(c) is amended—

(A) by striking ''SPECIAL TRIAL JUDGES'' in the heading and inserting ''MAGISTRATE JUDGES OF THE TAX COURT'', and

(B) by striking ''special trial judges'' and inserting ''magistrate judges''.

SEC. 3304. REPEAL OF DEADWOOD RELATED TO BOARD OF TAX APPEALS.

(a) Section 7459, as amended by this Act, is amended by striking subsection (f) and by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(b) Section 7447(a)(3) is amended to read as follows:

''(3) In any determination of length of service as judge or as a judge of the Tax Court of the United States there shall be included all periods (whether or not consecutive) during which an individual served as judge.''.

The SPEAKER pro tempore. The motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Texas (Mr. BRADY) and the gentleman from Massachusetts (Mr. NEAL) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill that is currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this important tax and oversight legislation. This bill has key timely components, each of which will help our economy continue moving in the right direction and provide help to families and communities damaged by disaster.

First, I think it is simply irresponsible to wait until next year to deliver crucial tax relief for families in 14 States and territories who are struggling today to recover from this year's devastating wildfires, hurricanes, flooding, earthquakes, and other severe storms. California alone, 17,000 structures destroyed; nearly 90 lives lost throughout the Carolinas; throughout these other States, so many families waiting to hear from Congress that they will receive relief now and not next year.

Both parties need to come together to help these communities rebuild, and rebuild today. This bill allows disaster victims to immediately access funds from their retirement accounts to begin their home rebuilding. It ensures losses from these disasters are immediately deductible and helps small businesses keep their workers on the payroll, even when their operations have been interrupted by these severe storms and wildfires.

Together, we can, we will, and we should help these communities rebuild today.

Secondly, working with the Senate, we have reached common ground on important retirement savings reforms. The House version of this bill already passed with many Democrats' votes. These reforms will help families save more throughout their lives, start saving earlier, while also helping our small businesses offer retirement plans to their valued workers.

This bill includes bold redesigns and restructuring of the Internal Revenue Service, the first bipartisan reforms to that agency in nearly two decades. Working together, Republicans and Democrats in the House passed this redesign package 414–0 earlier this year.

It is time now to send these reforms to the President's desk to ensure that the IRS is an agency truly focused on quality taxpayer service.

We are also offering bipartisan tax relief from some of ObamaCare's most damaging, harmful, and egregious taxes. Specifically, this bill provides relief from the Cadillac tax that punishes companies that provide good healthcare to their workers, the medical device tax that has chased thousands of jobs overseas, and relief from the health insurance tax and the tanning tax. These harmful taxes stifle innovation, reduce jobs, and increase the cost of families' health insurance.

This package also makes good progress on two temporary tax provisions that expired at the beginning of this year. Temporary tax policy is hardly ever good tax policy. We have an opportunity here to set a new tone for how we treat these temporary tax extenders moving forward.

Additionally, in this bill, we proactively eliminate any potential uncertainty for our churches and community groups so nothing distracts them from their core mission.

We have included a small number of straightforward, time-sensitive technical corrections to the Tax Cuts and Jobs Act. Technical corrections, as we know, are normal and traditional with any big piece of legislation, especially with rewriting the Tax Code. These small tweaks are important and will ensure our new Tax Code works as intended, to grow the economy and increase wages for middle-class families.

I urge all my colleagues to support these measures so we can send this important legislation to the Senate soon.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I recall this very quaint time when some of us arrived in Congress when the legislative session would wind down. There would always be this stellar photograph of the Speaker of the House and the Republican leaders and the Democratic leaders and the Republican and Democratic leaders in the United States Senate, who would be photographed on the front page of most major dailies on the phone speaking to the President of the United States, regardless of what the President's political affiliation might be.

So here we are closing the second session of the 115th Congress when we had time to do this. Instead, this is the second iteration of an irresponsible manner in terms of process that was offered to the Democratic minority in this House.

On Monday night, we got notice of this without even seeing the substance of the proposal that was in front of us. This is not the way regular order functions nor, as I have just referenced, the way that legislative sessions are supposed to conclude.

My friend—and I mean that with all sincerity—the chairman of the committee, noted that the American people are waiting to hear from Congress. Well, let me tell you this about these tax bills. It didn't take the wealthy long to hear from Congress. They heard from them right away, and the offering that they had was more concentrated wealth and more tax relief for people at the very top in America—taking that top rate from 39.6 to 37 percent, a cut in the corporate rate to 21 percent, doubling the estate tax, and here we are again with another vehicle that is not paid for.

So where do we find revenue right now as a percent of gross domestic product? It is at 16.4 percent. And we are hearing, well, just maybe this tax bill might bring us to 17.5 percent, when the historic battle that the two parties have had in this House has generally been about between 18 and 19 cents on the dollar.

So a year later, what do we have in front of us? The same procedure: closed doors, no hearings, not one witness. And if you pick up some gossip in the hallway about what this is to include, that is generally conceded now to be a point of achievement.

So a year later, we are rushing another package through to correct the errors that were delivered in the first bill.

And, by the way, these were not small errors. A couple of them were big enough to drive a Mack truck through.

Not one hearing, not one witness, not one piece of evidence documented to put in front of this committee.

So this is a last-ditch effort by our Republicans to revisit their tax law and ensure that it further benefits those who really are the strongest already in our society. They want to jam through some of these provisions to help corporations at the expense of shining some light on how we might have found a substantive opportunity to achieve a bipartisan outcome.

The American voters delivered a resounding rebuke last month, and our friends don't seem to understand what that message was about.

On election day, the tax bill polled that 49 percent were against and 41 percent were for. And if you think it was just a messaging problem, that would be a mistake. They should have joined with us to advance some very important matters that are in this legislation; and when we would have had an opportunity to fix these together through transparency, hearings, witnesses, I think we could have easily accomplished a different outcome.

I oppose this legislation because it is also not offset. For the third time this year, the party of fiscal rectitude that always lectures us when there is a Democratic President about balancing the budget went out and borrowed more than $2 trillion for the purpose of providing a tax cut to the people at the top—$2 trillion added to the budget deficits.

Can you imagine what the reaction would have been if Barack Obama or Bill Clinton did that? The outrage would have been empowering in this institution. We would have heard about it for years at a time. But, no, it is okay to do it and then call it juice to the economy.

□ 1545

Well, there are many items in here that we fully approve of, but we disagree with the approach that is being taken, and we disagree with many of the substantive matters that are being offered.

There is a national principle involved here, and that is, we come to the aid of all members of the American family when natural disasters settle in, not on a piecemeal basis. And we will, I assure you, try very earnestly and very quickly next year to address many of these same issues. And I guarantee you this, for all members of this committee, there will be hearings, and there will be witnesses, and it will be done in daylight to make sure that there is an opportunity for all to be heard, including our Republican friends.

To close on part of this measure as well, this bill significantly erodes the Johnson amendment by allowing certain tax exempt organizations to make political statements during the ordinary course of activities.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield myself an additional 2 minutes.

So this would allow now priest, rabbi, imam, minister, to stand at the pulpit and offer an endorsement of a particular candidate for public office.

What happened to Jefferson's wall of separation?

What happened to the idea that, unlike Europe and places like that where they have had religious strife for centuries, that we were able to avoid that because of the wall that Mr. Jefferson very skillfully constructed?

This is a dangerous precedent that threatens to politicize charitable and philanthropic organizations.

Finally, the health provisions in this bill do nothing to increase accountability for the device industry, employers, or health insurers. If we are going to provide tax relief to corporations, we should have guarantees that the savings will be reinvested in innovation; put more dollars in workers' pockets, and lower insurance premiums.

Another issue that is not in dispute, Mr. Speaker, is the following: Overwhelmingly, that tax cut went to share buybacks with corporations and dividends. It did not come to the benefit of people who needed tax relief every single day.

There are a number of provisions here that we find very supportable, but the idea that we are doing this in the closing minutes of the 115th Congress, I think, is objectionable to our side.

The proposal before us is not paid for. It did not go through the regular order, and I urge our colleagues to oppose this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I know everyone in Congress is eager to get back to a full week of Christmas shopping, but I am proud to yield 3 minutes to the gentleman from South Carolina (Mr. RICE) who represents a community devastated by disasters in 2018.

Mr. RICE of South Carolina. Mr. Speaker, I stand in strong support of the tax and oversight package before us today.

I appreciate the concern about the deficits from my colleague across the aisle, but I would remind my colleague that President Obama added $2 trillion in deficits in only 1 year.

Mr. Speaker, this bill adds to the successes, the amazing successes of the Tax Cuts and Jobs Act which became law last year, and our economic potential in America has, once again, been unleashed and America is, once again, the land of opportunity.

Unemployment is at a record low, Mr. Speaker. Consumer confidence and small business confidence are at historic highs, and wages are growing at their fastest pace in nearly a decade.

Mr. Speaker, my friends across the aisle can say that this bill benefited only the wealthy, but I can tell you, I represent three of the poorest counties in South Carolina, Marion County, Dillon County, and Marlboro County, and all three of those counties, in 2016, were at or about 10 percent unemployment. Today, each one of those counties, largely as a result of this tax bill, are below 6 percent. For the first time in 30 years they are below 6 percent unemployment.

When we passed the Tax Cuts and Jobs Act, our message was clear: We will not wait another 30 years to take up tax legislation. We will consistently work to improve the Tax Code.

The legislation before us is an opportunity to build on the economic momentum that is creating opportunities and lifting people up in South Carolina and across the country.

Two years ago, Hurricane Matthew made landfall in South Carolina, and just a few days before a tax filing deadline, people were ignoring evacuation orders from disaster officials to ensure they could meet their IRS filing deadlines. Can you imagine having to choose between boarding up your house or filing a tax return? That is what my constituents had to do.

Ambiguity under the current law results in the IRS waiting to grant a deadline extension for weeks after a natural disaster. My bill, the Disaster Certainty Act, would create an automatic 60-day extension following a Presidential Disaster Declaration, and it is included in this bill.

Additionally, this package includes the Hurricane Florence Tax Relief Act, which I introduced with Congressman HOLDING. This legislation gives disaster victims the flexibility to access emergency funds, encourages charitable giving, and enhances the deduction for personal casualty losses.

Immediately following a disaster, families are faced with the cost of home repairs and temporary housing, but most do not have these funds at their disposal.

Mr. Speaker, I encourage my colleagues to support this package.

Mr. NEAL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the ranking member of the Health Subcommittee, who has served this institution with great distinction and dedication over many years.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I thank Mr. NEAL, and I salute his eloquent statement. I hope everybody listens.

Usually, legislation has either rhyme or reason, or both. This bill has neither. It is dramatically unreasonable. It adds insult to injury. It would further increase our growing Federal debt, this time by almost $100 billion.

Driven by the irresponsible 2017 tax law, our projected annual deficit has already more than doubled since President Trump came into office, more than doubled; mainly to benefit, as Mr. NEAL has spelled out so well, the very wealthy.

The majority thought the first tax bill of theirs would at least be helpful politically. It turned out, for voters, sour music. It was, as described earlier, hyper-partnership at its worst; no hearings. Nothing like it.

So, on this last day of votes this session, and close to my last of thousands and thousands of votes over 36 years, I will proudly vote ''no.''

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD), a key member of the Ways and Means Committee.

Mr. LAHOOD. Mr. Speaker, I want to thank Chairman BRADY for yielding time, and for his tireless leadership on improving our country's Tax Code.

Mr. Speaker, I rise today in strong support of H.R. 88, the Retirement, Savings, and Other Tax Relief Act of 2018.

Since the passage of the Tax Cuts and Jobs Act last year at this time, our economy has boomed. And under the direction of Chairman BRADY, the Ways and Means Committee hasn't stopped working on advancing and improving our Nation's tax laws.

In doing so, our committee has worked to make positive reforms to the IRS, and I am proud that this legislation includes language from my bill, the Improving Assistance for Taxpayers Act, which will bolster protections for taxpayers by requiring the IRS to respond promptly to Taxpayer Assistance Directives issued by the Taxpayer Advocate Service.

Specifically, the IRS would be required to respond to Taxpayer Advocate Directives within 90 days.

Implementing these changes will improve accountability and, therefore, more efficiently address systematic issues within the IRS. Not only does H.R. 88 take important steps to make our tax system more accountable, but it also includes important provisions that will provide certainty to our agriculture community in central and west central Illinois.

Representing the country's eighth largest congressional district in terms of corn and soybean production, I have seen firsthand the positive impact of the Biodiesel Tax Credit on our agriculture community.

Biodiesel producers have been hurt in the past by lapses in this credit, which has hindered their ability to plan for the future. H.R. 88 provides a long-term extension and a path forward for the Biodiesel Tax Credit, which will provide positive assurances for our producers in the Midwest.

As Americans continue to reap the benefits of pro-growth tax reform, it is important we continue to fine-tune our Tax Code to work better for the citizens of this country. H.R. 88 takes important steps toward doing just that, and I have been proud to work alongside Chairman BRADY and the other members of the Ways and Means Committee to ensure we put taxpayers first, and that is what this bill does.

I urge my colleagues to stand with me and support this legislation.

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), the ranking member of the Tax Policy Subcommittee.

Mr. DOGGETT. Mr. Speaker, the voters told them: The party's over. Go home.

But before going home, they want to go big with another big, irresponsible national debt-busting bill. Republicans are struggling to stuff just a little more silver in their donors' pockets as they get pushed out the Capitol door.

Republicans are ending this session the very same way they began it in January of last year, with arrogance, with duplicity, with total indifference to the needs of working families across our country.

And this bill comes from the ''Great Cover Up Committee,'' the committee that covers up as much of its tax work as possible from the public; the committee that secretly changes the tax law to directly benefit the Trump family; and the committee that refuses to even review, under existing law, the Trump tax returns; the committee that believes in overlook, not oversight of the corruption that pervades this Trump administration.

Since Trump took office, the Republicans have feverishly pursued two goals: Take away healthcare from the many, and award the few with more tax benefits.

Last Friday, a Republican judge in Texas ruled that they can take away the coverage. He declared the entire act of the Affordable Care Act unconstitutional.

And so what is the response today from the actions of our indicted Texas

Attorney General colluding with the Trump administration that refused to defend the act? Are they here to protect Americans on preexisting conditions? No. They are here to reward those in the healthcare industry with more billions of dollars of tax breaks.

Today's Republican parting shot adds almost $100 billion to our national debt, saddling existing and future Americans with that debt.

We need, in a new Congress, genuine tax reform. Today's bill does not provide it.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I rise in support of the legislation at hand, which includes the Retirement, Savings, and Other Tax Relief Act of 2018, and the Taxpayer First Act of 2018.

Since the passage of the Tax Cuts and Jobs Act, 2.1 million jobs have been created. More Americans are working. They are taking home more money as a result of pro-growth policies like tax reform and cleaning up an overly burdensome regulatory regime.

We can keep this momentum going by enacting reforms like the one before us today. This package includes legislation to make it easier for families to save for retirement, and make it easier for employers to offer retirement plans to their employees.

I am a former employer. I know that employers want this for their employees.

It also makes important structural changes to the IRS to ensure it is oriented for taxpayer service, prevents abuses, and creates a more fair appeals process.

This package would delay or repeal harmful health-related taxes, including delays for the Cadillac tax and the medical device tax which, I can tell you as a surgeon, is harmful for the advancement of medicine on behalf of patients.

Also, this bill offers a full repeal of the excise tax on indoor tanning services, which affects small businesses all over the country.

□ 1600

It gives Americans impacted by recent disasters much needed flexibility to access their retirement savings, increases charitable contributions, and helps businesses keep their employees on payroll as they surmount these disasters.

Finally, it makes technical corrections to the Tax Cuts and Jobs Act, thus ensuring that individuals and businesses can benefit from the important reforms of the law, as intended.

Mr. Speaker, this package of bills continues our efforts to help Americans save, help the economy grow, improve IRS operations, and keep a nimble and smart Tax Code. So I encourage my colleagues to support this legislation on behalf of all Americans of all generations.

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. THOMPSON), the very assertive spokesperson from Napa Valley and my friend.

Mr. THOMPSON of California. Mr. Speaker, I thank the chairman for yielding me time.

You know, here we go again. We started this session with a terrible tax bill that was written in the dark of night, not one single hearing, not one single expert witness, an unpaid-for $2.3 trillion tax cut. We find out after it is passed that it is fraught with problems.

Now we are going to end the session with another tax bill, not quite as fiscally irresponsible as the first, but $100 billion unpaid for—again, no hearings, no expert witnesses.

Why in the world do you think this one is not going to be fraught with problems? This is the height of irresponsibility and just one more example of the Republicans' borrow-and-spend philosophy and practice.

Once again, I am sure we are going to hear from our friends on the other side that now that we have done this, now that we have charged all this money to future generations, we are going to have to come back and put on our fiscally responsible hat and cut Medicare and cut Social Security.

This is shameful, and it is irresponsible.

If that is not bad enough, now, in this bill, you are going to try to provide false hope to people who were victimized from natural disasters all across the country, from hurricanes, tornados, fires. You know this bill is not going anyplace. The Senate is not going to take up this bill. So you are providing false hope to folks who really need our help right now.

Mr. Speaker, revictimizing people who were terribly hurt during these disasters, it is shameful; it is irresponsible; and I urge a ''no'' vote.

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KELLY), the leader of the retirement and savings portion of this bill.

Mr. KELLY of Pennsylvania. Mr. Speaker, I thank the chairman for bringing this important legislation to the floor.

I rise in strong support of H.R. 88, a comprehensive package that in many ways will help millions of American families save more of their own money for their future.

Among H.R. 88's many important features is a section that includes key elements of three retirement savings bills that I have been proud to introduce and champion over the last 2 years.

One of those bills, the Family Savings Act, stood as one of the three main pillars of Tax Reform 2.0, which passed this House with bipartisan support in September. With H.R. 88, much of that bill, along with my bipartisan Retirement Enhancement and Savings Act and bipartisan Rightsizing Pension Premiums Act, is one giant step closer to becoming law.

In short, this package is a wonderful gift at Christmas for all Americans, and it cannot come soon enough.

Americans should be able to rely on three main sources of retirement income to ensure full financial security during their retirement years: first, Social Security; second, personal savings; and third, employer-sponsored savings plans.

Now, when it comes to that third source, an alarming number of Americans do not have access to an employer-sponsored 401(k) plan. Among those who do, a recent study found that 42 percent of them have less than $10,000 in their plan.

Combined with the fact that more than 60 percent of Americans don't have enough cash to cover a $1,000 emergency expense, the passage of today's package is especially critical.

Specifically, H.R. 88 will make it easier for small employers to pool together and offer retirement plans to their employees. This would help bridge the divide between the benefits that large employers might offer to their employees and those that smaller employers only wish that they could offer.

Overall, this will help ensure that the next generation of Americans doesn't outlive its savings.

I have to tell you, one of the things that I remember so clearly as a child growing up is my mother and dad saying to me: The one thing we never want to be to you kids is a burden.

I thought to myself, my gosh, my mom and dad are worried about being a burden to my brothers and sisters, after all they have done for us?

What we are trying to do is make up for that. The Greatest Generation, they are telling us they don't want to be a burden to the next generation. How American is that? That has nothing to do with Republicans and Democrats. That has to do with who we are as Americans.

This H.R. 88 accomplishes a lot of those goals, but I have to tell you, a secure retirement for every American should not be a partisan issue, and we know it is not. So, today, let's come together as a unified body and send this bill to the Senate, for the sake of every American's peace of mind during this season of peace.

Before I conclude, I also want to highlight the railroad track maintenance tax credit for the short-line railroads and the extension of the biodiesel tax credit. Each of these actions will directly support economic growth and job creation in rural communities across America.

As I look across to the other side, I think we are all the same. I can remember, as a child growing up, sitting down and making up a list and sending it off to the North Pole, telling Santa Claus everything I wanted. But I can remember coming down on Christmas morning, and I never got everything I wanted, but I was really thankful for everything I got.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BRADY of Texas. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. KELLY of Pennsylvania. Mr. Speaker, this is bipartisan. This is who we are. If we cannot secure the future for those who have done so much for us, what are we doing here?

This is a wonderful opportunity for us to act at a time of year when it is much more important to give than it is to receive.

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I listened to my friend from Pennsylvania talking about bipartisan opportunities, things we agree on. You know, the railroad tax credit is something that we could have done in a heartbeat, but unfortunately, it is wrapped into a really embarrassing piece of legislation, which is a fitting symbol to the wrap-up of 8 years of Republican rule of the House Ways and Means Committee.

We are in the process of again making the Tax Code more complex, which they have done every year they have been in control: talk about tax simplification, make it more complex.

Those complexities were for people who actually needed it the least. We have lavished massive tax cuts on the most well-off in this country and done nothing to reduce the growing income inequality.

They have assaulted the Affordable Care Act and actually put it at risk.

I hear about the improvement of IRS customer service. For 8 years, they have assaulted the IRS in their war against taxes, and they have used taxpayers as the hostages. Employees there haven't had the resources to be able to deal meaningfully with the ever-increasing Tax Code to help taxpayers with their premiums.

They have had no time to listen to the American public. You have seen major tax bills after major tax bills with no public hearings, no expert witnesses, no opportunity to really try that bipartisanship.

Mr. Speaker, I reflect now on our friend PAUL RYAN, who is leaving office, and what a sad note to end on. The Federal Government in November spent twice as much as it took in.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield an additional 1 minute to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Speaker, after hearing PAUL RYAN talk for years about deficits on the Ways and Means Committee and on the Budget Committee, he leaves a legacy of exploding deficits. You talk about burdens for our children: $2.3 trillion extra of national debt.

Think for a moment: We can't balance the budget when times are as good as they are and unemployment is as low. We have had 8 years of increasing employment.

I was just in the Cloakroom while Donald Trump was spouting off on TV, and I was watching as the Dow Jones plunged over 500 points. It is a verdict on the reckless Republican leadership in tax and spending, and they are leaving Democrats with serious problems to address.

But I know, under our chairman and Democratic leadership, we will at least listen to the American public.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. NEAL. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. BLUMENAUER. Mr. Speaker, we will allow the public to know what we are voting on, and we will actually be able to start building on the foundation of things that make a difference: rebuilding and renewing America, closing the income gap, allowing those most fortunate in our economy to be able to pay a little more so that we don't have to sacrifice services for the elderly, the poor, and students, and be able to rebuild and renew this country.

I am looking forward to that opportunity for Democrats to take control, and this sorry Congress cannot end fast enough.

Mr. Speaker, I urge rejection of this proposal.

Mr. BRADY of Texas. Mr. Speaker, I recognize, under a Democrat majority, every American will be taller and smarter and better looking.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. HOLDING), who helped lead legislation dealing with disaster relief.

Mr. HOLDING. Mr. Speaker, I rise to urge my colleagues to join me in supporting this bill.

This is a broad package, including a host of strong policy proposals supported by both Republicans and Democrats in both Chambers.

If I may, Mr. Speaker, I would like to touch upon two specific parts of the bill.

As you know, my home State of North Carolina was devastated by Hurricane Florence this past September. The damage is widespread, and the recovery efforts will take years. Folks impacted are in need of help, which is why I am grateful this package includes my legislation that I introduced with Mr. RICE, providing significant tax relief to individuals and businesses hurt by Hurricane Florence.

Better yet, we have expanded the scope of my bill to include countless Americans who have been impacted by several natural disasters that have befallen our Nation over the past year.

Specifically, this legislation will enact penalty-free access to retirement savings and provide tax incentives for employers and small businesses to ensure they keep employees on the payrolls.

It will also make it easier for folks to claim tax deductions for the cost of destroyed property and will encourage people across the country to donate to recovery efforts by suspending limits on charitable contributions.

Altogether, this bill will lessen the tax burden on folks impacted by natural disasters so they can use more of their money to recover, rebuild, and get back on their feet.

This is one piece of a larger disaster relief package, and I am so glad to see it moving forward in this overall bill.

The second provision I would like to briefly highlight is an important one that will assist low-income taxpayers with issues concerning the IRS.

Taxes are already a major burden on low-income individuals living paycheck to paycheck, and the last thing they need to have to do is worry about dealing with the bureaucracy of the IRS. So low-income taxpayer clinics provide much needed relief guidance and support to low-income individuals, providing them with representation for the IRS or in court on audits, appeals, and other tax disputes. They provide this for a very low fee.

So I am glad these provisions are included in the overall package, and I urge a ''yes'' vote on the overall package.

Mr. NEAL. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL), the always erudite Mr. PASCRELL.

Mr. PASCRELL. Mr. Speaker, the bill before us today did not go through committee like a bill this large should. We could have offered amendments to address some of the most pressing issues with this tax bill.

I would have started with how this bill cherry-picks winners and losers, with many of the losers being in States like the State I live in, the State of New Jersey.

This is, again, let me repeat, ''Weekend at Bernie's.'' They prop up the dead tax bill, make it look alive, and then they bring in something that makes it look even more dead.

That didn't work; this will not work. You didn't run on it; you will not run on this.

□ 1615

Our State got slammed by the new cap on the State and local tax deduction, better known as SALT, State and local taxes, the oldest deduction in the books. The GOP tax scam took money from homeowners and communities in my State and others to fund their massive giveaway to big corporations. The data is there. It is clear. It is succinct. It is definitive.

Republicans even bragged about using their tax scam to hurt New Jersey and the region. Imagine that. Imagine bragging about deliberately hurting millions of people. My amendment would have restored this critical deduction, but it was blocked.

This bill before us today provides targeted relief to victims of disasters, but only a select few. There have been 13 disasters since we last held a committee meeting on a tax bill, and I

don't see them listed here, not to mention the tax relief that victims of Hurricane Sandy never received in the first place.

There is a bill that would provide disaster tax relief to all federally declared disaster areas automatically, which it should be, so we don't have to play these partisan games of picking and choosing. If we want to help people, let's vote on it.

There are provisions in this bill that I would have supported, but our chairman made no such attempt to reach us. In fact, we didn't have any witnesses. In fact, we didn't have any hearings. How about that for democracy?

Instead, this is nearly $100 billion.

It is unpaid for; you are very good at that. It is undebated; you think you know all of the answers. And it is very, very partisan. So much for reaching out. And most important, it utterly ignores the needs of workers in this country.

Mr. Speaker, did you hear that General Motors just announced 14,700 workers are losing their jobs? Does this bill do anything to address that? No. In fact, the underlying tax bill they are trying to fix today—remember Bernie?—did nothing to help those workers either.

General Motors moves American jobs to China and Mexico. They will be paying a lower tax rate for the pleasure, from 21 percent to a minimum of just 10.5 percent. How do you justify that?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield an additional 1 minute to the gentleman from New Jersey.

Mr. PASCRELL. And we continue to let them deduct the cost—get this. We allow them to deduct the cost of moving their operations overseas.

How un-American do you get? We need to stop that.

There is a bill, by the way, to do that, if you noticed.

If you can believe it, General Motors saved more than $150 million so far this year thanks to the GOP tax scam, and they appear to have benefited by as much as $6.5 billion by the tax holiday for offshore cash hidden in this GOP bill.

The data is clear, Mr. Speaker. Read it. Yet here they are shipping jobs overseas just in time for the holidays.

You might think after they were repudiated at the ballot box that Republicans would show some humility and extend a hand to work with us, reach out. No. All they could do is smile and say: Bernie, it is your year. Don't worry about it.

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Minnesota (Mr. PAULSEN), an outstanding key member of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I want to first speak, in general, in support of this tax package overall, which includes some very, very good tax policy. But I want to highlight and specifically draw attention to one very important provision, a bipartisan provision, and that is a further delay of the medical device tax for a 5-year period.

My preference, Mr. Speaker, would have been to have a permanent repeal of the device tax, but I understand you have to compromise on things, and that is a good compromise, so 5 years is what we get.

And look, during a period of time when there are very few issues that a lot of policymakers, unfortunately, in Congress can agree upon, there is no doubt that there has been strong, bipartisan, broad-based support to repeal and eliminate a very bad policy that was put in place as a part of ObamaCare and repealing this device tax.

This is about making sure that our Nation, our country, America, continues to lead the world in this important ecosystem that is central to improving patient care and also creating high-quality jobs.

We all know the medical device industry in America is truly an American success story. It is a Minnesota success story. I can speak to the 400,000 people around the country who are directly employed. I can speak to the 35,000 folks who are employed in Minnesota in this industry.

And these are hundreds and hundreds of companies, by the way, Mr. Speaker, that I have had the chance to visit and tour, companies you may have never heard of. They may have 5 employees or 10 employees, but every single one of them has that doctor, that engineer, that entrepreneur who is working to improve or help save lives for patients.

The device tax, however, unfortunately, caused the loss of about 29,000 jobs as it was put in place. Back this last July, Members will recall that the House voted, overwhelmingly—bipartisan support—to permanently repeal this device tax with historic levels of support, both Republicans and Democrats. Nearly 300 Members voted together to get rid of it.

It is really about protecting innovation, and it is about protecting small businesses. Eighty percent of medical device companies have less than 50 employees, and 93 percent of these companies have less than 500 employees who have good, high-paying jobs.

We are also a net exporter, exporting around the world in this industry. The Affordable Care Act, Mr. Speaker, imposed a new 2.3 percent excise tax on all medical devices.

It doesn't sound like much, but keep in mind, this is not a tax on profits. It is a tax on your sales; it is a tax on your revenue; and that is where we saw the negative impact, because it already takes 8 to 10 years for these companies to become profitable in the first place. They deal with FDA regulation, and they deal with reimbursement issues. This raised the bar. This raised the hurdle. It made it much more difficult for these companies to become profitable in the first place.

It is about giving predictability and giving certainty for these companies so that they can continue to help innovate and help patients. That is what it is really about, making sure that new, life-improving and lifesaving products are coming to market.

I visited and met with engineers, technicians, owners, and entrepreneurs of these companies who work day in and day out coming up with the ideas for the innovation that really makes America the forefront leader.

Mr. Speaker, I would encourage support for this bill. It is a good compromise, and it makes sense.

Mr. NEAL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. JUDY CHU), well-known for her financial acumen.

Ms. JUDY CHU of California. Mr. Speaker, I rise today in strong opposition to H.R. 88.

This bill contains a provision that can only be described as sneaky. It is an anti-choice provision that has no place in a tax bill. It tries to circumvent our Supreme Court and redefine ''person'' by allowing parents to open 529 college savings accounts for unborn children.

Actually, this provision is unnecessary because, under current law, parents can already do this. They can open 529 college savings accounts for future children in their own name and then change the name of the beneficiary after the birth of their child.

But the implications of adding ''unborn child'' directly into the Tax Code are serious. This is a thinly veiled attempt to codify the legal concept of the unborn child and, therefore, claim that, legally, the fetus is separate from the mother.

This language has appeared in Republican tax bills before, and anti-choice extremists did not attempt to hide its reason for its inclusion. When this provision appeared in the House version of H.R. 1, the GOP tax scam, the spokesperson for the anti-choice group March for Life stated publicly:

> We hope that this is the first step in expanding the child tax credit to include unborn children as well.

This is an obvious attempt to lay the legal groundwork for undermining a woman's constitutional right to an abortion. It is an outright attack on women's reproductive rights.

Right before Republicans must turn over control of the House to Democrats and before a record number of Congresswomen are sworn in, Republicans are making a last-ditch effort to erode women's constitutional rights to control their own bodies in order to score one last point for an extremist base, and all in a bill that they know is dead on arrival in the Senate.

Mr. Speaker, I strongly urge my colleagues to reject this bill and vote ''no.''

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, this is not a debate on education, but I am worried about the ability of my colleagues to add.

As we talk about tax and rates and terms thrown out about things like ''irresponsible'' and ''giveaways,'' I think it is incumbent that we reflect on those terms and what that actually means.

When we think about the rates that were passed, you think about somebody's rate going from 15 percent down to 12 percent, or from 25 percent down to 22 percent, or from 28 percent down to 24 percent, and you think about that as an overall of a 10 percentage point move. Or you think about the top three brackets coming down from 39.6 percent down to 37 percent. Or going down another point below that, maybe a 3.6 percent decrease, total, on the top three brackets, and 10 percent on the bottom four brackets. That is not an inequitable distribution of those tax cuts.

You think about the term being thrown around when somebody says it is a giveaway. When somebody says that it is a giveaway to allow somebody to keep more of their earnings, what they are saying, fundamentally, is that a person's earnings don't belong to them; they belong to the Federal Government, and the Federal Government can give those earnings back to them.

That is not the truth. All of the earnings, the work of somebody's hands, the fruits of somebody's labor, those are the earnings of the individual, and they are good enough to give the Federal Government some of those dollars to go out there and function.

When you think about that term ''irresponsible,'' what my colleagues on the other side of the aisle are saying is that it is irresponsible to allow somebody to keep more of the fruits of their labor.

I rise in support of this bill. I encourage my colleagues on the other side of the aisle to reflect about the things that they are saying, the lies that they are literally out there saying. I hope that they can go to work for the American people instead of going to work online.

Mr. NEAL. Mr. Speaker, we don't object to the three brackets being lowered for the American people in the middle class. We object to the idea that there were no hearings on this and the top brackets were reduced, doubling the estate tax exemption, cutting the top rate from 39.6 percent to 37 percent. If you want to do that for people at the very end of the economic scale, we are in.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I think it is interesting to suggest that anyone is telling an untruth when 24 hours ago this House committed to passing a CR to stop the government from being shut down and the United States Senate passed it without objection to keep the government open. Here we are now, with the government on the verge of closing because the President owns it, and we are talking about a bill that creates $53 billion in deficit and does not help the middle class and small businesses and has a pox on women as relates to choice.

What kind of crisis are my friends trying to build a few days before we rise to take leadership as a majority in the 116th Congress? Maybe we should have hearings, but maybe we should stop this bill altogether and get back to keeping the government open and passing a continuing resolution so that the working people in all of these agencies, including Border Patrol agents and others, can do their job.

This is an insanity that keeps on growing. Mr. President, let's stop doing this and keep the government open, and let's have hearings on this tax bill to ensure that we do what is right for small businesses, working families, and women of America.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NEAL. Mr. Speaker, could we have clarification as to how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from Massachusetts has 6½ minutes remaining. The gentleman from Texas has 8½ minutes remaining.

Mr. NEAL. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I rise in opposition to the bill and, in particular, opposition to section 407, which would, essentially, repeal the Johnson amendment. The Johnson amendment protects the integrity and independence of charities and houses of worship by ensuring that they do not endorse or oppose political candidates.

One of the characteristics of American religious institutions that has made them so sacred is that they are separate from government and separate from campaign profits.

□ 1630

If Americans want to get involved in partisan elections, we know how to do that, but what we are seeking when we attend church, synagogue, mosque, temple, or any or house of worship is something quite different.

This distinction has long been reflected in how our law treats religious institutions differently than political institutions, to preserve their sacred place in American society, houses of worship must stay above the political fray, and refrain from endorsing candidates for political office.

Current law strikes as balance, and it is important to emphasize what houses of worship with tax-exempt status can do: they are permitted to advocate for policies that are consistent with their values, and they can help their members become engaged in the political process by organizing events, registering voters, and getting them to the polls. They just can't tell people who to vote for.

It is no surprise that a wide array of religious organizations and faith leaders support the Johnson amendment and oppose section 407 of this bill, out of an understandable concern that political parties and candidates seeking power would be empowered to use their congregations as tools and pressure them for their endorsements.

I think we can all agree that Americans have had enough of political partisanship. They do not want more of it, and they certainly don't want it in their houses of worship where so many seek refuge from the tumult and chaos of their day-to-day life.

Mr. Speaker, I urge a ''no'' vote on the bill for this and many other reasons.

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Speaker, I rise today in support of the Retirement, Savings, and Other Tax Relief Act of 2018.

In a long overdue move, and one with strong bipartisan support, this bill modernizes the IRS and improves the efficiency of the agency in dealing with taxpayers.

As one of the only former State treasurers in Congress, I understand our need for our country's tax collection agency to adopt a culture of customer service and to help taxpayers file taxes, retrieve information, resolve issues, and make payments.

In addition to reforming the IRS, this bill also provides needed certainty to businesses by making certain tax cuts permanent, and extending others so that families and businesses know what to expect from our Tax Code in the future.

While our economy is booming, businesses of every size I meet with in my district in Kansas consistently say that the number one thing they need from Washington is certainty. We owe it to job creators and workers to provide that certainty so that they can provide for other expansions and other decisionmaking.

To support workers and families, this bill makes it easier for businesses to provide retirement plans for more employees who previously did not have access to them, and allows families to save more for retirement.

To support entrepreneurs and small businesses, this bill will allow new companies to write off more of their initial startup cost and allow startups to expand easier and faster without hitting limits on certain tax benefits like that for research and development.

Finally, this legislation also helps victims impacted by the recent wildfires, hurricanes, and other natural disasters by allowing victims to access retirement accounts without penalty

to assist in their recovery. Our fellow Americans in need should have every tool available to help them rebuild.

As I said in a recent op-ed for FOX News, the Retirement, Savings, and Other Tax Relief Act of 2018 is the right bill at the right time for America's families and economy. Passing the Tax Cuts and Jobs Act started an economic turnaround our country has not experienced in decades. Instead of stopping that momentum in its tracks, we need to build upon that success with these commonsense reforms.

Mr. Speaker, I want to thank Chairman BRADY and the Ways and Means Committee for continuing to fund solutions to grow our economy and help families.

Mr. NEAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, so the holy grail of the tax cut was the constant reference to the stock market. That is what we have heard for the last year. I wonder about some of our Members, if they want to compare their 401(k) to what it was like in October of 2008. Or as we have witnessed that constant reference to the stock market, the stock market, the stock market, and a reminder that at the end of 2017, the stock market, or the Dow Jones Industrial Average went up to 24,719, and this afternoon, it is at 22,859.

Mr. Speaker, I call attention to that because of the chaotic nature in which this legislative body has functioned: no hearings, no witnesses, legislation crafted, we don't know where, brought to the floor, and then referenced as the achievement of a rising stock market.

So here we are again without one single hearing, rushing through another tax package that is not offset, and doubles down on the original law's skewed benefits for people at the top, again, without a markup or a single hearing.

A rushed process resulted in a failed product. And now, they want to duplicate that process with these changes proposed here today.

The bill includes a number of provisions that could have been reconciled very easily with our side enthusiastically, including the references that Mr. KELLY made to retirement benefits. We are all in.

But the hit on nonprofits—by the way, taking away benefits for parking for some of the nonprofits, is but another example of how this legislation actually lacked substance.

We can do much better. And I certainly want to encourage colleagues to oppose this legislation on process and policy, and just as I yield back, we on both sides here, are very fortunate to have exceptional tax advisers in terms of the staff members, and I want to thank Kara Getz for her work as the chief tax counsel as she moves to her new role in my office as well.

Mr. Speaker, I would like to be able to say Merry Christmas to all, but this tax bill does not help my enthusiasm. But I will still say Merry Christmas to all, and I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today, what we have heard is: our feelings are hurt. They are really, really hurt. This didn't go through regular order, and so our feelings are really hurt.

Those who oppose that say: Look, we are trying to help families that are damaged by our disasters, thousands of them. I imagine those families who are looking at their homes that are charred and burned, and families who are living on the second floor of their home because it has been wiped out, I bet they would like some regular order to their life. I bet they would like things to go back to normal. I bet they would like to spend the holidays in that home, not safe and warm up here in Congress, coming up with excuses on how not to help them.

We are told it is shameless to help those who are victims of disaster, in Alabama, California, Florida, and Georgia, Hawaii, Indiana, and North Carolina. It is shameless to help you. We can't be bothered, is what opponents are saying today. In South Carolina, Texas, Virginia, Wisconsin, American Samoa, Guam, Northern Mariana Islands, we are busy, opponents are saying: We have got holidays. We can't help.

I believe we ought to help. Every one of us, Republicans, Democrats, ought to provide this key disaster tax relief that those families and communities need.

We are told it is reckless to help families and small businesses save more earlier in life, but we know we are not a Nation of savers. We have got to do more to help them. We used to do that in a bipartisan way. We can do that today.

We are told we never heard of a bill that reins in the IRS, redesigns them to become a taxpayer first agency and protects our personal data. Yet, that bill passed this House 414–0 because we had leaders like LYNN JENKINS from Kansas and JOHN LEWIS from Georgia, who worked together along with the Senate to do really thoughtful work together. Both parties gave, and took, and found a good solution. That is in this bill.

We are told that we ought not delay these ObamaCare taxes, but Republicans and Democrats, together, have worked to do this in the past, and President Obama signed them as well.

And then we are finally told that there is an attack on women's reproductive rights. Here is what it is: in this bill we allow, when you find out you are pregnant and you want to get a little head start to start saving for your child's education, like preschool, kindergarten, elementary school, get a head start on saving for trade school or for college, we are told that somehow that is an attack on reproductive rights.

It is a head start just for families that want to save a little more, get one more year. Because today, you have to actually open an account in someone else's name and transfer it later. We are just saying, look, get a head start. If you want to start saving, we are with you. Do your very best for your child. We think that is important.

At the end of the day, I think we ought to put aside this temper tantrum and come together to help a lot of families in our country who need this help.

My guess is, if our Democrat friends get their way and manage to obstruct, they will take all of these elements right back up at the beginning of the year. It will be their idea and their credit. I will give them credit right now for it. I just think we ought to help people today, and that we ought not break for any holidays until we have really done the work that these people deserve.

As long as we are talking about people who deserve our appreciation, I want to thank our chief tax counsel Barbara Angus, who has done just a remarkable job leading an amazing Tax Policy Subcommittee, and staff who have done such remarkable work for the American people and for us here over the past 3 years.

I want to thank the staff director of our Oversight Subcommittee, Rachel Kaldahl—the whole team—who have done remarkable work in a bipartisan way, reforming the IRS; Stephanie Parks in the Health Subcommittee area, on these ACA taxes; and, Machalagh Carr, our general counsel, who shepherded us to the work today.

The bottom line is I think there are lots of ways we can work together to help the American people, especially those in need right now. This has bipartisan work, bipartisan thought. Let's join together and help the American people.

Mr. Speaker, I urge a ''yes'' vote, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to H.R. 88. This package has been presented as tax relief for the victims of hurricanes, fires, and other natural disasters victims. In reality, it is a grab bag of almost $100 billion in unpaid for tax breaks—including tax breaks for the health care industry. This bill also allows tax exempt religious organizations to engage in political activity. Moreover, the bill conspicuously omits a provision that would ensure the solvency of the trust fund that provides health care and compensation for coal miners with black lung disease.

On December 31, 2018, the excise tax rate that funds the Black Lung Benefits Disability Trust Fund will drop by 55 percent, unless Congress takes action to extend the tax rate. That tax rate of $1.10 per ton for underground coal and 55 cents per ton for surface was extended in 2008 for 10 years. Allowing the tax rate to sunset at the end of this year will have grave fiscal consequences. According to the Government Accountability Office (GAO), the failure to extend the tax rate will cause the deficit in the Trust Fund to skyrocket from approximately $5 billion today to $15 billion in 2050.

Once the tax rate drops, the annual costs for benefits, medical care and administrative

costs will exceed revenues every year for the foreseeable future. The only way these benefits can be paid going forward is if the Trust Fund borrows from taxpayers. Congress designed the Black Lung Benefits Act to be financed by a tax on coal production—not the taxpayers.

Another consequence of failing to act is that the accumulated debt will pile up each year. The Trust Fund will have to borrow to also pay debt service and interest costs each year. When the debt reaches the breaking point, the only solution is a taxpayer bailout. It is irresponsible to allow the coal industry to privatize gains and socialize the costs.

Although black lung disease had been on the decline after the passage of the 1969 Coal Act, in recent years it has returned with a vengeance. Recent studies show that rates of black lung disease have reached 25 percent in Appalachia. The rates of progressive massive fibrosis, the most severe form of black lung disease, are now at epidemic levels, and are now being diagnosed in younger miners. Treating these miners will require costly medical care.

Mr. Speaker, allowing the excise tax rate to expire does a great disservice to coal miners, their families, and taxpayers.

I urge my colleagues to oppose this bill.

Mr. DANNY K. DAVIS of Illinois, Mr. Speaker, again, I stand on this Floor and oppose the myopic, Republican mission that asks hard-working Americans to pay for wasteful tax cuts for wealthy corporations.

With baby boomers retiring and needing security, the first Republican tax cuts seriously damaged the health of the Medicare Trust Fund. This bill is more of the same—exploding the deficit and threatening Social Security, Medicaid, and Medicare.

After decades of wage stagnation—when over 41 million laborers earn less than $12 an hour, when almost none of their employers offer health insurance, when more than one-quarter of Americans struggle to cover housing costs—the Republican bill preferences health care industries over lower health care costs for consumers.

Rather than fixing their Failed Tax Law's harmful provisions toward hard-working Americans, this bill makes fixes for industry moguls.

This bill fails to roll back the double taxation on residents in Illinois via the cap on the State and Local Income Tax Deduction.

This bill fails to restore the personal exemptions taken from millions of families with children. This bill fails to help home owners whose houses lost value by capping the mortgage interest deduction.

Rather than helping all Americans affected by disasters, the Republicans are picking and choosing which disaster victims that they feel deserve relief.

Rather than uniting Americans, this bill seeks to divide our places of worship by allowing churches and religious organizations to make political statements.

People in Chicago expect government to help real people. I oppose this dangerous bill that threatens the economic security of our country and citizenry.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1180, the previous question is ordered.

The question is on the motion offered by the gentleman from Texas (Mr. BRADY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NEAL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3277. An act to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 695, CHILD PROTECTION IMPROVEMENTS ACT OF 2017

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 115–1090) on the resolution (H. Res. 1183) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 695, CHILD PROTECTION IMPROVEMENTS ACT OF 2017

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1183 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1183

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment with an amendment consisting of the text of Rules Committee Print 115-88. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1645

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the Rules Committee met and reported a rule for consideration of the Further Additional Continuing Appropriations Act, 2019. The rule provides for 1 hour of debate equally divided and controlled by the chair and the ranking member of the Appropriations Committee.

Mr. Speaker, the appropriations package in front of us represents the fourth appropriations package to fully fund the government for fiscal year 2019. While the Congress has completed its work with respect to almost 75 percent of total discretionary spending, including, notably, the Department of Defense, Health and Human Services, Education, and Labor, roughly 25 percent of this discretionary spending remains outstanding. Today's bill will provide a short-term continuing resolution to February 8, 2019, to ensure that the entirety of the Federal Government remains open and operating while the Congress continues its work.

I have said on numerous occasions both on this floor and elsewhere that continuing resolutions are not the best way to fund the government, but allowing the government to shut down, even in part, is much costlier and much worse. It is our obligation to our constituents to keep all of the government open and operating to provide needed services to them.

Mr. Speaker, from an appropriations perspective, this year has been remarkably successful. Earlier this year, we sent 5 of the 12 appropriations bills to the President for his signature before the beginning of the fiscal year. That is the best record in 22 years.

With hard work from both sides of the aisle in both Houses of Congress, our earlier efforts represented a return to regular order and to the normal legislative process. For us to drop the ball now, at the end of the year and at the end of this Congress, would negate much of the good work that has already been done this year.

As I have said so often on this floor, the primary obligation of the Congress is to fund the American Government and to keep it open and operating. The American people deserve no less. With this package under consideration today, Congress will do just that with respect to 7 of the 12 main spending bills: Agriculture, Rural Development, Food and Drug Administration, and Related Agencies; Commerce, Justice, Science, and the Related Agencies; Financial Services and General Government; Homeland Security; Interior, Environment, and Related Agencies; State, Foreign Operations, and Related Programs; and, finally, Transportation, Housing and Urban Development, and Related Agencies.

As my colleagues can see from this list, the group of bills covers a broad array of vital government programs the American people rely upon. It includes key departments like the Department of Homeland Security, the Food and Drug Administration, the Border Patrol, and the State Department.

It covers services like funding roads, operating security checkpoints at airports, passport services, food inspection services, importation and exportation of goods and services, banking services, and thousands of other important government functions.

Perhaps just as importantly, it covers approximately 800,000 employees, about half of whom would need to be furloughed and about half of whom would likely be deemed essential and be required to work without a guarantee of pay.

While continuing resolutions are in no way, shape, or form the best way to do business, the measure before us today will at least ensure that the government remains open and operating and will continue to provide the needed services for our Nation and our constituents. I look forward to working with my colleagues in the coming weeks to complete our work on funding the government for fiscal year 2019.

Importantly, this bill also includes funding for disaster relief and to secure the border. The American people have made their voices heard, and they have told us time and time again that they want additional border security. To that end, this bill appropriates $5 billion for the purpose of securing the border.

Finally, Mr. Speaker, this bill also appropriates $7.8 billion for disaster relief. As we have seen time and again in places like New Orleans after Hurricane Katrina, the East Coast after Hurricane Sandy, and my own hometown of Moore, Oklahoma, after devastating tornadoes, disasters require a helping hand. By appropriating these funds we offer our fellow Americans who have been afflicted by disasters the help that they need and require.

Mr. Speaker, I urge support for the rule and the underlying legislation, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE), my good friend, for yielding me the customary 30 minutes.

Let me begin, Mr. Speaker, by again thanking my colleague from Oklahoma for the work that he and other appropriators did to try to keep the government running. We are here right now not because of the appropriators. We are here right now because Donald Trump has made a mess of things.

Mr. Speaker, it is surreal that we are here today, days before the end of a Congress, hours before one-quarter of the Federal Government runs out of money, scrambling to keep the lights on at the brink of the third Republican government shutdown this year, because we are not dealing with divided government. Republicans today control not only this Chamber, but also the Senate and the White House. They have been fighting among themselves for weeks over whether and how to keep the Government of the United States open for business. It would be comical if it weren't so serious.

This proposal that we are being given right now is not a solution. It is a political temper tantrum all to please one man: the person sitting at 1600 Pennsylvania Avenue. It doesn't solve the disagreements in this Chamber or the Senate, and it doesn't prevent the shutdown America is facing.

This President and this majority ran on fear during the last election: fear of immigrants, fear of those seeking asylum, and fear of anyone who doesn't look exactly like them.

What happened, Mr. Speaker? They were resoundingly rejected. The American people chose a different course. They don't want a government that reacts only to the wants of the President's ever-shrinking base, the small segment of society that actually supports his offensive border wall.

Let me remind my colleagues, according to polling, Americans, by a 2-to-1 margin, want the President to compromise on the wall to avoid a shutdown. This proposal is exactly what the President may want, but it is precisely what the American people rejected.

The Senate passed a bipartisan continuing resolution to keep the lights on. This House was prepared to pass it until the President's latest outburst. Governing by tweet isn't governing at all. If the President's most senior advisers are Fox & Friends and Rush Limbaugh, maybe we shouldn't be surprised when we find ourselves here today.

But this morning, this House came together to pass same-day authority so the majority could move quickly on a bipartisan, short-term continuing resolution. Democrats joined our Republican colleagues in this effort to provide the tools needed to keep the lights on. This is how you are using them?

This isn't a serious plan. To even vote for disaster relief, this bill requires you to support the President's offensive wall. Democrats and the American people have already rejected this false choice.

This wall is a medieval solution to a 21st century problem. What is next, Mr. Speaker, money for a moat around Mar-a-Lago?

This will not become law, what we are doing right now. This is a waste of time. If it even passes here—which is a big if—it is dead on arrival in the Senate. I say to my friend: The clock is ticking. Let's get to work on a clean bill that can make it to the President. This isn't that. This is just offensive.

Again, let me remind those in this Chamber the Senate, in a bipartisan way, came together by a voice vote and supported a continuing resolution, a clean CR, to keep the government running for 7 weeks. That is it. It is all we are proposing here today. This Chamber can't even do that. This is a disgrace.

Mr. Speaker, I urge my colleagues to reject it, and I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to make a couple of comments before I yield to my friend from Alabama and fellow Rules Committee member for 3 minutes.

Let me just quickly point out that we are really talking about border security here. This clearly isn't simply a wall. Frankly, there is not enough money involved here. This is a matter of providing additional security.

It is important to note the Border Patrol union itself fully supports what the President is trying to do. This is the type of thing they have asked us to provide them so that they can provide us with the security that we tasked them to give to the American people.

The disaster relief is something I think probably both sides should be able to agree on. We know there is a genuine disaster. We have had fires, and we have got hurricane relief. I have a very detailed summary here of all the various items that would be taken care of. I would be more than happy to provide that to my friend. That is something that we should do before we go home. That is something, frankly, Americans have a right to count on.

I remember—and I was with my friends in this endeavor—during the Sandy debate and how desperately we needed aid at that point in time and how severe the reaction was when Congress went home without getting that done and came back in January. I

think the reaction was appropriate. So this disaster relief is extraordinarily important, and I hope that we focus on that in our debate as well.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Alabama (Mr. BYRNE), who is a fellow member of the Rules Committee.

Mr. BYRNE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to add my support to this rule.

When did protecting the American people—knowing who is entering our country and having a secure border—become some kind of radical or partisan idea?

I am stunned to see the length to which some of my colleagues on the other side of the aisle will go simply to oppose enhanced border security, including a border wall. In fact, it seems they are willing to shut down the Federal Government instead of supporting President Trump's urgent request for $5 billion to fund the border wall.

What is especially strange is that some of my colleagues on the other side have already supported a wall in the past. Some have even voted in support of a border wall. What has changed?

I think the answer is very simple. I think some of my colleagues are so committed to appeasing the so-called resistance that they find themselves opposing a very basic and commonsense idea like border security just because they want to earn points from the most extreme part of their political base.

This is really not a complicated issue. This is about the safety and security of the American people. This is about keeping terrorists out of our country. This is about keeping illegal drugs out of our country. This is about keeping criminals out of our country. This shouldn't be hard.

Why am I so passionate about this? Because this is a critical issue. When I talk to the people I represent back in Alabama, they are passionate about it. This is one of the top issues I hear about at events and townhalls throughout Alabama. In fact, the phones in my office have been ringing all day with people urging us to stand strong, secure our borders, and build the wall.

Mr. Speaker, I think this is a fight worth fighting. I think pushing to ensure the safety of the American people is worthy, and it is absolutely a critical fight. So I urge my colleagues to stop playing to the resistance. Come back toward a commonsense idea like securing our border. Pass this amendment. Pass this funding bill, and ensure the safety of the American people.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if I could just respond to my colleague, if I thought for one second building a stupid wall would somehow secure our borders, I would be for it. But every expert I have talked to, including people on the border, say they need more personnel and say we ought to invest more in electronic equipment to surveil our borders. I don't know of a wall that has ever been built that people haven't climbed over or dug under. This is ridiculous.

By the way, when the President campaigned, he said that he wanted to build a wall and that Mexico was going to pay for it. Now he wants to build a wall that by all accounts is going to be useless in terms of protecting our borders, and he wants the American taxpayers to pay for it.

Well, you have $5 billion. How about rebuilding our roads and our bridges that are crumbling in this country?

If you have got $5 billion that you don't care what you do with, how about investing it in affordable housing?

Or how about dealing with the issue of climate change?

Or how about making sure that some of the 40 million-plus Americans in this country who don't have enough to eat have food?

Wasting money on something so ridiculous is offensive.

So we want border security. We are happy to work with you on enhanced border security, but this isn't it. This is a campaign slogan. This is a waste of taxpayer money. It is ridiculous. It is embarrassing. For the President to want to shut down the government over this is disgraceful.

By the way, on the disaster package, just so my colleagues understand this, the disaster package in this bill does not include $600 million in nutrition assistance for Puerto Rico. So unless this Congress takes immediate action, 1.4 million of our fellow citizens of Puerto Rico stand to suffer deep cuts in food assistance, causing many of them to go hungry. That is shameful. Where is the help for them?

□ 1700

Of course, we should pass a clean CR to ensure that our government remains open. But my friend talked about disaster assistance, and I just wanted to point out that one thing that is missing in their disaster package is the nutrition money for our fellow citizens of Puerto Rico. I am sure there are others.

We are rushing this thing through. There is no transparency here. We thought we had a deal to keep the government open for 7 weeks. Then, all of a sudden, I guess the President tuned into ''Fox and Friends'' and changed his mind. You don't know where this President is going to be day-to-day or hour-to-hour or minute-to-minute. But he is the guy who said that he would be proud to own a shutdown.

Well, I think it would be a disaster for this country to have another shutdown. I think it would be expensive. I think we should to do everything we can to avoid it, and that is why we ought to send a clean CR back to the Senate.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to make a couple of comments with regard to the statement my good friend made.

We are actually talking, really, in a sense, not about not $5 billion. We are talking about $3.3 billion. The Senate bill that passed actually added $1.7 billion, which is a tacit admission that physical barriers do make a difference.

We all agree that the amount of money we are talking about here would not build an entire wall. Quite the opposite, it would just provide some physical barriers at points along the border that are weak and need additional security.

My friend says that nobody is interested in this. Frankly, the border security unions are. The Border Patrol has endorsed the President's proposal. The men and women we have tasked to defend our borders tell us this is something that they need. They have gone so far as to say they would support a government shutdown.

I hope we don't have that. I am not for a government shutdown. I never have been for a government shutdown. But this is not an extraordinary amount of money in a bill, frankly, that totals well over $250 billion, when you add up all the spending. And being able to put additional security there is important.

To my friend's point about Puerto Rico, I think that is a good point. I think that is a fair point to make. We should probably go back and take a look at that. I do know that Americans desperately need assistance in a variety of areas, Puerto Rico included. Agriculture help is necessary, as well as help for rebuilding military installations and schools that have been destroyed. Why can't we get that done?

This is a very substantial package. There is actually more money in this bill for disaster relief for American citizens than there is for additional border security. So I think this is an eminently sensible proposal.

Mr. Speaker, I urge its adoption and the adoption of the rule, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I don't really want to prolong this debate much longer here. Every day with this administration is another self-made crisis, another demonstration of bad faith.

No one can trust what comes out of the White House, what the President says. His word is worthless. And here we are, as evidence of that fact.

Mr. Speaker, the government is set to run out of money tomorrow. We are running out of time to act. But, apparently, this is exactly what President Trump wants.

Last week, he said he would be ''proud to shut down the government.'' Today, he confirmed he wouldn't even sign a clean CR to keep our government open for just a few more weeks.

It is irresponsible and abhorrent to attach funding for his offensive border wall to a bill to keep the lights on.

That is why, if we defeat the previous question, I will offer an amendment to the rule to bring up the Senate amendment to H.R. 695, which is the clean CR that has already passed the Senate by a voice vote. Every Democrat and every Republican stood together and passed the CR. It wasn't controversial over there. Somehow, it is controversial here.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. MITCHELL), my good friend.

Mr. MITCHELL. Mr. Speaker, we all took an oath. I know we remember that oath—for me, it was pretty meaningful; it was my first oath of office—to keep our citizens safe, to protect them, protect them at our borders, protect them in the case of disasters.

In fact, in the past, our colleagues on the other side of the aisle have supported a border wall, border protection. But now, since the name ''President Trump'' is on it, it is evil; it is bad. How politically convenient.

I remind you of the oath we took to protect the citizens in this Nation whom, apparently, we are so ready to toss aside when it is politically expedient.

You talk about a deal that was made. The Senate may have made whatever deal they wished to make. I am unaware that we work for the United States Senate, Mr. Speaker.

I represent the people of the 10th Congressional District, and I will tell you what they say. They want our borders secure. They want us to take care of people in disasters. There are heartaches for the folks in Florida, George, and California who were devastated by disasters. They ask why we can't fund disaster relief for those people.

Please, let's not talk about a deal that was made in the other House, because we are not responsible to them. We are responsible to the people who elected us.

One last point: We are at this point of struggling over keeping the government open—and let's be honest about it, it is part of the government. The other side of the aisle talks about shutting down the government. It is about 20 percent, 25 percent of the government.

We are at this point because the Senate won't make a deal that doesn't protect the fairly tenuous position that the future Speaker has on the other side of the aisle, and she doesn't want to make a deal.

I spent 35 years in private business. Compromise is the way it works. A compromise was offered and summarily rejected within minutes in the Senate by Mr. SCHUMER and then by Ms. PELOSI.

I urge my colleagues to support the rule, pass the resolution, and send it back to the Senate and tell them to do their job.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just respond to the gentleman that we are all for compromise. This 7-week CR is a compromise. The clean CR is a compromise. In a bipartisan way, unanimously in the United States Senate, they accepted it. The President said he was for it. Then he changed his mind after watching ''Fox and Friends'' or listening to some right-wing radio host.

The gentleman talks about protecting the border. We want to protect the border. We want to invest money in things that will actually protect the border, not in a press release, not in a sound bite, not in something that is a total waste of money, like a wall.

But what about the fact that the President is going to shut the government down over a stupid wall and that means that the men and women who work for the Department of Homeland Security, the people who protect our borders, will not get paid, and we are not going to support them?

One of my Republican colleagues, when he was faced with that question, said: ''It's actually part of what you do when you sign up for any public service position.''

Really? That is how we treat and respect the men and women who are charged with protecting our borders? We turn our backs on them during the holiday season? Merry Christmas. We are not going to pay you.

What they need, if you go to the border and talk to them, are more personnel. They want us to invest in more electronic equipment to help them surveil the border. They will tell you that this idea of a wall is dumb. It doesn't work. It is not going to protect this country. It is a waste of money.

We had a deal to move this CR forward, and the President changed his mind. He reneged on his word. He didn't keep his promise. And here we are.

So, as Republicans fight with Republicans here in the House, thankfully, the Senate, in a bipartisan way, came up with a solution. There was a compromise. Democrats are willing to support that compromise. But, somehow, it is not enough.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I know what it is like to be waiting on disaster aid and not getting it. Among other things, this potential or so-called disaster aid is missing dollars needed by the people of Puerto Rico. I walked the streets and saw how desperate the need was. It doesn't even include the $600 million in assistance for Puerto Rico to deal with food nutrition.

I remember, in the time of Hurricane Harvey, we begged for an extension for the food nutrition program called Disaster Supplemental Nutrition Assistance Program, and in 3 days, we served 30,000 people. You have to feel the pain to understand.

Really, Mr. Speaker, this is a sham and a shame, because Republicans are in the United States Senate—let the American people understand that—and they fostered this compromise. They came together. They have sent it to the President. They spoke to the President. The President agreed that we would do it in this manner and that we would look at this issue on the other side of 2019.

What happened here? A callous disregard of Border Patrol agents; callous disregard of Customs and Border Protection; callous disregard of the National Guard and the military who are down at the border, who are out there every day; and a callous disregard of Jakelin, the 7-year-old who died because we don't have adequate health facilities, medical care, medevac, and the kind of decent living conditions—yes, decent—that are warranted.

We are shutting down Commerce and Justice. We don't have enough judges at the border. We don't have enough judges to deal with the asylum cases.

So if these folks want border security, it is not just a wall. It is technology. It is the agents. It is understanding that human beings are coming across the border. It is medical care. It is, as well, the security that we need.

So I am here to say, Mr. Speaker, as I close, what a sham and a shame. Let's get the Senate bill and put it on the floor.

Yesterday, I introduced H.R. 7332 that says no American tax dollars will be paid for the wall. Mexico will pay for it. Border security will be based upon technology, personnel, and barriers.

Let's pass that bill and pass the CR from the Senate.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, sometimes, in the heat of debate, it is easy to miss what the real essence of the dispute is.

When I vote for the rule—and I don't expect my friend to vote for the rule; that is always a partisan exercise—but when I vote for the underlying legislation, I will actually be voting to fund the government. If my friends vote ''no,'' they will be voting not to fund the government. So if they are worried about funding the government, all they have to do is vote for this bill, because it funds the government.

The second thing I will be voting for is disaster relief. My friends have said that there are other areas that are worthy of relief. That is probably true. I don't have any quarrel with that. But I wouldn't vote against this disaster relief because it wasn't enough. I would

vote for this and then try to get additional in the time that we have remaining.

Finally, I will be voting for enhanced border security. We all know we have a problem. We all know that our border is not as secure as we would like. There is a debate over wall versus no wall. This really isn't a wall.

The wall would be $25 billion. Our friends have offered $1.7 billion. The President has been the one who has compromised, who has come back with $5 billion. So we are talking about $3.3 billion for various physical barriers at spots that we all agree would almost certainly work, done with the cooperation of our own people at Homeland Security.

Finally, we are talking about not paying border agents. Border agents have told us this is what they need. That is what their union has said. That is what their elected representatives said.

We want to do what the President has proposed. The President isn't shutting down the government. The President is willing to sign legislation that funds all the government. He has asked for disaster relief, something that should not be controversial in this Chamber, in my view, but sometimes is.

Finally, he has asked for an awfully modest amount of money to provide additional security along the border that the Border Patrol itself has asked for. That is really what is at issue.

□ 1715

So when you vote against this legislation, you will be the ones voting to shut down the government, not the President, not my colleagues in this Chamber, not the Senate and whatever they decide to do in their infinite wisdom, but a ''no'' vote on the underlying legislation is a vote to shut down the government.

A ''yes'' vote for the rule, which my friends would differ with, and that is fair enough, but a ''yes'' vote for the underlying legislation is the vote to keep the government open, take care of the disasters that we are faced with, and provide modest additional support for our border agents and Border Patrol.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I just need to correct the RECORD on a few things here.

It was the President who said he would be proud to shut the government down. My colleague may recall not too long ago the President had a meeting with Speaker-designate PELOSI and Leader SCHUMER over in the Senate. He bragged about it on camera.

The President invited the cameras in, and he said: I would be proud to own a shutdown. That is what he said.

So we know where the President stands on this. He doesn't care about shutting the government down. We should.

The gentleman said that votes on rules are always partisan. Well, for the most part they are, but not this morning—not this morning.

My Republican friends brought a martial law rule to the floor, which we don't really like because it basically condenses the process and we don't have a lot of time to look at things. But nonetheless, we said we would vote for it.

Almost every Democrat voted with Republicans to move this so-called martial law rule forward so that we could bring up the Senate-passed continuing resolution today and keep the government running and be able to pay the men and women who protect our borders. So we came in good faith, and we did that.

We want border security. We just think wasting billions of dollars on a stupid wall that doesn't do anything to protect our country is the wrong way to go.

So if you want to vote to keep the government open, then you should vote with us to defeat the previous question because, if we defeat the previous question, then I will bring up the Senate-passed continuing resolution, and we can all vote for it. We can all keep the government running. We can all go home and have a merry Christmas and a happy new year. That is how simple it is.

My Republican friends are bringing a rule to the floor that says that, if you vote for this rule, there is no separate vote on the border wall. It is all together.

They know what is going to happen. If it passes the House, it will go over to the Senate, and they are not going to accept this. They have already had a bipartisan compromise. They had a deal with the President until he changed his mind.

So if you want to keep the government open, then vote with the Democrats on defeating the previous question, and we will bring up a clean CR and we will do the right thing. We will do what we thought we were going to be doing this morning until the Republicans got into a fight with one another, and here we are.

Mr. Speaker, may I inquire of the gentleman how many more speakers he has.

Mr. COLE. Mr. Speaker, I am prepared to close whenever my friend is.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am looking at a headline here today. It says: ''U.S. stocks clobbered, with Dow losing nearly 500 points, amid White House drama over government shutdown.''

Mr. Speaker, creating chaos in the stock market is how a drama queen might act, but it is not how any President should behave. This is totally manufactured by the White House crisis. This is ridiculous that we are at this point, after all the agreements that have been reached in the Senate and, we thought, here in the House.

The President turned the TV set on and started watching FOX News and got carried away and now is reneging on his agreement. That is unfortunate.

But I would again say to my colleagues: Let us defeat the previous question, and we will bring up a clean CR. We will keep this government open, and we will do the right thing by the American people. And most importantly, we will make sure that the men and women who are protecting our border get paid during this Christmas holiday. It is the right thing to do.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank my friend. As always, it is a spirited debate, and I want to be the first to say he is exactly right on a point he made. He did, earlier today, actually help me on this side of the aisle. I was evidently much more persuasive this morning than I have been this afternoon. But my friend is exactly right. On many occasions we have worked together, and I want to thank him for that.

I also want to review just quickly what I see, at least, Mr. Speaker, as the main issues here.

Number one, we all say we agree we want to keep the government funded, and I believe we all do. We don't believe in government shutdowns. We all believe the government ought to be funded. The underlying legislation does exactly that.

I think all of us, on both sides of the aisle, care about Americans who have been hurt in disasters, and we have shown that time and time again. We have struggled on occasion, but we generally get aid to where it is needed; and if we overlook somebody, we try and come back and do that again.

This bill makes a good-faith effort to provide billions of dollars in assistance to Americans who need it through no fault of their own, who have been ravaged by fire, who have been damaged by hurricanes, who face a variety of disasters, not just in the United States, but in the territories as well. If, again, we have overlooked something, we should go back and try and take care of that as well.

Finally, it provides a very modest amount of money. Remember, this package, together, is over $250 billion. The difference between the two sides—unless my friends object to disaster relief, which I doubt they do—to be fair, is really $3.3 billion. That is what the President thinks he needs, an additional expenditure along the border, or $5 billion if you want to characterize it that way. But the difference between the two sides is only $3.3 billion.

That doesn't build a wall. We have been told the President is uncompromising. He is not uncompromising. He has been, for 2 years, talking about an

elaborate border security of $25 billion. This is 5, not 25. This would not build a wall, but this would provide additional security.

We all know there are points along the way where physical barriers matter and make a difference. I think that is what the President is asking for.

My friends worry, and rightly so, about people not getting paid during a government shutdown, which I hope we avoid, quite frankly. But the men and women on the border have asked the President to do this. They support what he is trying to do.

When we send troops into combat, I listen to what they have to say and what they need. So does this Congress, and it tries to provide it.

We put people in a difficult situation along the border, and they tell us these are the sorts of tools they need. The President is trying to respond in this case, and I think we should support him in that effort.

So, Mr. Speaker, I want to encourage all Members to support the rule. Today's bill represents the next step toward fulfilling our primary obligation as Members of Congress to fund the government.

While continuing resolutions are never the best way to fund the government, today's measure will allow us to keep the entire government open and operating and providing needed services for our country and our constituents until February 8 of 2019. This measure will give Congress the time it needs to complete the rest of our work and fully fund the government through the end of fiscal year 2019.

I want to applaud my colleagues for their work.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 1183 OFFERED BY MR. MCGOVERN

Strike all after the resolving clause and insert the following:

''That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

SEC. 2. Clause 1(c) of rule XIX shall not apply to the consideration of the Senate amendment to the House amendment to the Senate amendment to H.R. 695.''.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

Adoption of the resolution, if ordered;

The motion to concur in the Senate amendment to H.R. 88 with an amendment; and

The motion to suspend the rules and concur in the Senate amendments to H.R. 2606, if ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 178, not voting 31, as follows:

[Roll No. 468]

YEAS—223

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd
Issa
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry

Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—178

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—31

Black
Capuano
Comstock
Costa
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Jenkins (KS)
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Polis
Ratcliffe
Rosen
Roskam
Rush
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Walz

□ 1750

Ms. CLARK of Massachusetts, Ms. ESTY of Connecticut, Messrs. CLYBURN, GOTTHEIMER, and POCAN changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 179, not voting 32, as follows:

[Roll No. 469]

AYES—221

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd
Issa
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—179

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—32

Black
Capuano
Comstock
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Jenkins (KS)
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
MacArthur
McCaul
Messer
Noem
Polis
Ratcliffe
Rosen
Roskam
Schrader
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Walz

□ 1800

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER'S CROSSROADS BATTLEFIELD DESIGNATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to concur in the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes, with an amendment

offered by the gentleman from Texas (Mr. BRADY), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to concur.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 220, nays 183, not voting 29, as follows:

[Roll No. 470]

YEAS—220

Abraham	Goodlatte	Nunes
Aderholt	Gosar	Olson
Allen	Gowdy	Palazzo
Amodei	Granger	Palmer
Arrington	Graves (GA)	Paulsen
Babin	Graves (LA)	Pearce
Bacon	Graves (MO)	Perry
Balderson	Griffith	Pittenger
Banks (IN)	Grothman	Poe (TX)
Barletta	Guthrie	Poliquin
Barr	Handel	Posey
Barton	Harper	Reed
Bergman	Harris	Reichert
Biggs	Hartzler	Renacci
Bilirakis	Hensarling	Rice (SC)
Bishop (MI)	Hern	Roby
Bishop (UT)	Herrera Beutler	Roe (TN)
Blackburn	Hice, Jody B.	Rogers (AL)
Blum	Higgins (LA)	Rogers (KY)
Bost	Hill	Rohrabacher
Brady (TX)	Holding	Rooney, Francis
Brat	Hollingsworth	Rooney, Thomas J.
Brooks (AL)	Hudson	
Brooks (IN)	Huizenga	Ros-Lehtinen
Buchanan	Hunter	Ross
Buck	Hurd	Rothfus
Bucshon	Issa	Rouzer
Budd	Johnson (LA)	Royce (CA)
Burgess	Johnson (OH)	Russell
Byrne	Johnson, Sam	Rutherford
Calvert	Jordan	Scalise
Carter (GA)	Joyce (OH)	Schweikert
Carter (TX)	Katko	Scott, Austin
Chabot	Kelly (MS)	Sensenbrenner
Cheney	Kelly (PA)	Sessions
Cloud	King (IA)	Shimkus
Coffman	King (NY)	Shuster
Cole	Kinzinger	Simpson
Collins (GA)	Knight	Smith (MO)
Collins (NY)	Kustoff (TN)	Smith (NE)
Comer	Labrador	Smith (NJ)
Conaway	LaHood	Smith (TX)
Cook	LaMalfa	Smucker
Costello (PA)	Lamborn	Stefanik
Cramer	Lance	Stewart
Crawford	Latta	Stivers
Culberson	Lesko	Taylor
Curbelo (FL)	Lewis (MN)	Tenney
Curtis	LoBiondo	Thompson (PA)
Davidson	Long	Thornberry
Davis, Rodney	Loudermilk	Tipton
Denham	Lucas	Turner
DesJarlais	Luetkemeyer	Upton
Diaz-Balart	MacArthur	Valadao
Donovan	Marchant	Wagner
Duffy	Marino	Walberg
Duncan (TN)	Marshall	Walden
Dunn	Massie	Walker
Emmer	Mast	Walorski
Estes (KS)	McCarthy	Walters, Mimi
Faso	McCaul	Weber (TX)
Ferguson	McClintock	Webster (FL)
Fitzpatrick	McHenry	Wenstrup
Fleischmann	McKinley	Westerman
Flores	McMorris Rodgers	Williams
Fortenberry	McSally	Wilson (SC)
Foxx	Meadows	Wittman
Frelinghuysen	Mitchell	Womack
Gaetz	Moolenaar	Woodall
Gallagher	Mooney (WV)	Yoder
Garrett	Mullin	Yoho
Gianforte	Newhouse	Young (AK)
Gibbs	Norman	Young (IA)
Gohmert		Zeldin

NAYS—183

Adams	Bass	Bishop (GA)
Aguilar	Beatty	Blumenauer
Amash	Bera	Blunt Rochester
Barragán	Beyer	Bonamici
Boyle, Brendan F.	Grijalva	Pallone
Brady (PA)	Gutiérrez	Panetta
Brown (MD)	Heck	Pascrell
Brownley (CA)	Higgins (NY)	Payne
Bustos	Himes	Pelosi
Butterfield	Hoyer	Perlmutter
Carbajal	Huffman	Peters
Cárdenas	Jackson Lee	Peterson
Carson (IN)	Jayapal	Pingree
Cartwright	Jeffries	Pocan
Castor (FL)	Johnson (GA)	Price (NC)
Castro (TX)	Johnson, E. B.	Quigley
Chu, Judy	Jones (MI)	Raskin
Cicilline	Kaptur	Rice (NY)
Clark (MA)	Kelly (IL)	Richmond
Clarke (NY)	Kennedy	Rokita
Clay	Khanna	Roybal-Allard
Cleaver	Kihuen	Ruiz
Clyburn	Kildee	Ruppersberger
Cohen	Kilmer	Rush
Connolly	Krishnamoorthi	Ryan (OH)
Cooper	Kuster (NH)	Sánchez
Correa	Lamb	Sanford
Costa	Langevin	Sarbanes
Courtney	Larsen (WA)	Scanlon
Crist	Larson (CT)	Schakowsky
Cuellar	Lawrence	Schiff
Cummings	Lawson (FL)	Schneider
Davis (CA)	Lee	Schrader
DeFazio	Levin	Scott (VA)
DeGette	Lewis (GA)	Serrano
Delaney	Lieu, Ted	Sewell (AL)
DeLauro	Lipinski	Sherman
DelBene	Loebsack	Sires
Demings	Lofgren	Smith (WA)
DeSaulnier	Lowey	Soto
Deutch	Luján, Ben Ray	Speier
Dingell	Lynch	Suozzi
Doggett	Maloney, Carolyn B.	Takano
Doyle, Michael F.	Maloney, Sean	Thompson (CA)
Ellison	Matsui	Titus
Engel	McCollum	Tonko
Eshoo	McEachin	Torres
Espaillat	McGovern	Tsongas
Esty (CT)	McNerney	Vargas
Evans	Meeks	Veasey
Foster	Meng	Vela
Frankel (FL)	Moore	Velázquez
Fudge	Morelle	Visclosky
Gabbard	Moulton	Wasserman Schultz
Gallego	Murphy (FL)	
Garamendi	Nadler	Waters, Maxine
Gomez	Napolitano	Watson Coleman
Gonzalez (TX)	Neal	Welch
Gottheimer	Nolan	Wild
Green, Al	Norcross	Wilson (FL)
Green, Gene	O'Halleran	Yarmuth
	O'Rourke	

NOT VOTING—29

Black	Jones (NC)	Ratcliffe
Capuano	Keating	Rosen
Comstock	Kind	Roskam
Crowley	Love	Scott, David
Davis, Danny	Lowenthal	Shea-Porter
Duncan (SC)	Lujan Grisham, M.	Sinema
Hanabusa	Messer	Swalwell (CA)
Hastings	Noem	Thompson (MS)
Hultgren	Polis	Trott
Jenkins (KS)		Walz

□ 1816

Messrs. ENGEL and BISHOP of Georgia changed their vote from ''yea'' to ''nay.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STIGLER ACT AMENDMENTS OF 2018

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendments to the bill (H.R. 2606) to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and concur in the Senate amendments.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. MASSIE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 399, noes 0, not voting 33, as follows:

[Roll No. 471]

AYES—399

Abraham	Clyburn	Garrett
Adams	Coffman	Gianforte
Aderholt	Cohen	Gibbs
Aguilar	Cole	Gohmert
Allen	Collins (GA)	Gomez
Amash	Collins (NY)	Gonzalez (TX)
Amodei	Comer	Goodlatte
Arrington	Conaway	Gosar
Babin	Connolly	Gottheimer
Bacon	Cook	Gowdy
Balderson	Cooper	Granger
Banks (IN)	Correa	Graves (GA)
Barletta	Costa	Graves (LA)
Barr	Costello (PA)	Graves (MO)
Barragán	Courtney	Green, Al
Barton	Cramer	Green, Gene
Bass	Crawford	Griffith
Beatty	Crist	Grijalva
Bera	Cuellar	Grothman
Bergman	Cummings	Guthrie
Beyer	Curbelo (FL)	Gutiérrez
Biggs	Curtis	Harper
Bilirakis	Davidson	Harris
Bishop (GA)	Davis (CA)	Hartzler
Bishop (MI)	Davis, Rodney	Heck
Bishop (UT)	DeFazio	Hensarling
Blackburn	DeGette	Hern
Blum	Delaney	Herrera Beutler
Blumenauer	DeLauro	Hice, Jody B.
Blunt Rochester	DelBene	Higgins (LA)
Bonamici	Demings	Higgins (NY)
Bost	Denham	Hill
Boyle, Brendan F.	DeSaulnier	Himes
Brady (PA)	DesJarlais	Holding
Brady (TX)	Deutch	Hollingsworth
Brat	Diaz-Balart	Hoyer
Brooks (AL)	Dingell	Hudson
Brooks (IN)	Doggett	Huffman
Brown (MD)	Donovan	Huizenga
Brownley (CA)	Doyle, Michael F.	Hunter
Buchanan	Duffy	Hurd
Buck	Duncan (TN)	Issa
Bucshon	Dunn	Jackson Lee
Budd	Emmer	Jayapal
Burgess	Engel	Jeffries
Bustos	Eshoo	Johnson (GA)
Butterfield	Espaillat	Johnson (LA)
Byrne	Estes (KS)	Johnson (OH)
Calvert	Esty (CT)	Johnson, E. B.
Carbajal	Evans	Johnson, Sam
Cárdenas	Faso	Jones (MI)
Carson (IN)	Ferguson	Jordan
Carter (GA)	Fitzpatrick	Joyce (OH)
Carter (TX)	Fleischmann	Kaptur
Cartwright	Flores	Katko
Castor (FL)	Fortenberry	Kelly (IL)
Castro (TX)	Foster	Kelly (MS)
Chabot	Foxx	Kelly (PA)
Cheney	Frankel (FL)	Kennedy
Chu, Judy	Frelinghuysen	Khanna
Cicilline	Fudge	Kihuen
Clark (MA)	Gabbard	Kildee
Clarke (NY)	Gaetz	Kilmer
Clay	Gallagher	King (IA)
Cleaver	Gallego	King (NY)
Cloud	Garamendi	Kinzinger
		Knight

Krishnamoorthi	Nolan	Sensenbrenner
Kuster (NH)	Norcross	Serrano
Kustoff (TN)	Norman	Sessions
Labrador	Nunes	Sewell (AL)
LaHood	O'Halleran	Sherman
LaMalfa	O'Rourke	Shimkus
Lamb	Olson	Shuster
Lamborn	Palazzo	Simpson
Lance	Pallone	Sires
Langevin	Palmer	Smith (MO)
Larsen (WA)	Panetta	Smith (NE)
Larson (CT)	Pascrell	Smith (NJ)
Latta	Paulsen	Smith (TX)
Lawrence	Payne	Smith (WA)
Lawson (FL)	Pearce	Smucker
Lee	Pelosi	Soto
Lesko	Perlmutter	Speier
Levin	Perry	Stefanik
Lewis (GA)	Peters	Stewart
Lewis (MN)	Peterson	Stivers
Lieu, Ted	Pingree	Suozzi
Lipinski	Pittenger	Takano
LoBiondo	Pocan	Taylor
Loebsack	Poe (TX)	Tenney
Lofgren	Poliquin	Thompson (CA)
Long	Posey	Thompson (PA)
Loudermilk	Price (NC)	Thornberry
Lowey	Quigley	Tipton
Lucas	Raskin	Titus
Luetkemeyer	Reed	Tonko
Luján, Ben Ray	Reichert	Torres
Lynch	Renacci	Tsongas
MacArthur	Rice (NY)	Turner
Maloney, Carolyn B.	Rice (SC)	Upton
	Richmond	Valadao
Maloney, Sean	Roby	Vargas
Marchant	Roe (TN)	Veasey
Marino	Rogers (AL)	Vela
Marshall	Rogers (KY)	Velázquez
Massie	Rohrabacher	Visclosky
Mast	Rokita	Wagner
Matsui	Rooney, Francis	Walberg
McCarthy	Rooney, Thomas J.	Walden
McCaul		Walker
McClintock	Ros-Lehtinen	Walorski
McCollum	Ross	Walters, Mimi
McEachin	Rothfus	Wasserman Schultz
McGovern	Rouzer	
McKinley	Roybal-Allard	Waters, Maxine
McMorris Rodgers	Royce (CA)	Watson Coleman
	Ruiz	Weber (TX)
McNerney	Ruppersberger	Webster (FL)
McSally	Rush	Welch
Meadows	Russell	Wenstrup
Meeks	Rutherford	Westerman
Meng	Ryan (OH)	Wild
Mitchell	Sánchez	Williams
Moolenaar	Sanford	Wilson (FL)
Mooney (WV)	Sarbanes	Wilson (SC)
Moore	Scalise	Wittman
Morelle	Scanlon	Womack
Moulton	Schakowsky	Woodall
Mullin	Schiff	Yarmuth
Murphy (FL)	Schneider	Yoder
Nadler	Schrader	Yoho
Napolitano	Schweikert	Young (AK)
Neal	Scott (VA)	Young (IA)
Newhouse	Scott, Austin	Zeldin

NOT VOTING—33

Black	Jenkins (KS)	Ratcliffe
Capuano	Jones (NC)	Rosen
Comstock	Keating	Roskam
Crowley	Kind	Scott, David
Culberson	Love	Shea-Porter
Davis, Danny	Lowenthal	Sinema
Duncan (SC)	Lujan Grisham, M.	Swalwell (CA)
Ellison		Thompson (MS)
Hanabusa	McHenry	Trott
Handel	Messer	Walz
Hastings	Noem	
Hultgren	Polis	

□ 1824

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHILD PROTECTION IMPROVEMENTS ACT OF 2017

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 1183, I call up the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BYRNE). The Clerk will designate the Senate amendment to the House amendment to the Senate amendment.

Senate amendment to the House amendment to the Senate amendment:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

''SEC. 138. The authority provided under title XXI of the Homeland Security Act of 2002 (6 U.S.C. 621 et seq.), as amended by section 2(a) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113–254), shall continue in effect through the date specified in section 105(3).

''SEC. 139. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

''SEC. 140. Section 405(a) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d–6a note) shall continue in effect through the date specified in section 105(3) of this Act.''.

This division may be cited as the ''Further Additional Continuing Appropriations Act, 2019''.

DIVISION B—MEDICAID EXTENDERS

SEC. 101. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) GENERAL FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) subject to paragraph (3), $112,000,000 for fiscal year 2019.'';

(2) in paragraph (2)—

(A) by striking ''Amounts made'' and inserting ''Subject to paragraph (3), amounts made''; and

(B) by striking ''September 30, 2016'' and inserting ''September 30, 2021''; and

(3) by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR FY 2019.—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.''.

(b) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

''(2) FUNDING.—From the amounts appropriated under subsection (h)(1)(F) for fiscal year 2019, $500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.''.

(c) TECHNICAL AMENDMENT.—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

''(10) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.''.

SEC. 102. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is amended by striking ''the 5-year period that begins on January 1, 2014,'' and inserting ''the period beginning on January 1, 2014, and ending on March 31, 2019,''.

(b) RULE OF CONSTRUCTION.—

(1) PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r–5) shall be construed as prohibiting a State from disregarding an individual's spousal income and assets under a State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) STATE WAIVER OR PLAN AMENDMENT DESCRIBED.—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual's spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

SEC. 103. REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM.

Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

''(k) REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.—

''(1) IN GENERAL.—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

''(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

''(B) for calendar quarters in 2023, by 0.25 percentage points;

''(C) for calendar quarters in 2024, by 0.35 percentage points; and

''(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

''(2) NON-COMPLIANT STATE DEFINED.—For purposes of this subsection, the term 'non-compliant State' means a State—

''(A) that is one of the 50 States or the District of Columbia;

''(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

''(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.''.

SEC. 104. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended by striking ''$31,000,000'' and inserting ''$6,000,000''.

SEC. 105. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(d) PAYGO ANNUAL REPORT.—For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

MOTION TO CONCUR

Mr. FRELINGHUYSEN. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Frelinghuysen moves that the House concur in the Senate amendment to the House amendment to the Senate amendment to H.R. 695 with an amendment consisting of the text of Rules Committee Print 115–88.

The SPEAKER pro tempore. Pursuant to House Resolution 1183, the amendment consisting of the text of Rules Committee Print 115–88 shall be considered as read.

The text of the House amendment to the Senate amendment to the bill is as follows:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting ''February 8, 2019''; and

(2) by adding after section 136 the following:

''SEC. 137. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

''SEC. 138. The authority provided under title XXI of the Homeland Security Act of 2002 (6 U.S.C. 621 et seq.), as amended by section 2(a) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113–254), shall continue in effect through the date specified in section 105(3).

''SEC. 139. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

''SEC. 140. Section 405(a) of the Pandemic and All Hazards Preparedness Act (42 U.S.C. 247d–6a note) shall continue in effect through the date specified in section 105(3) of this Act.

''SEC. 141. Notwithstanding any other provision of this Act, there is appropriated for 'U.S. Customs and Border Protection—Procurement, Construction, and Improvements' $5,710,357,000 for fiscal year 2019, to remain available until September 30, 2023.

''SEC. 142. Notwithstanding section 101, section 230 of division F of Public Law 115–141 shall not apply to amounts made available by this Act.''.

This division may be cited as the ''Further Additional Continuing Appropriations Act, 2019''.

DIVISION B—MEDICAID EXTENDERS

SEC. 101. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) GENERAL FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) subject to paragraph (3), $112,000,000 for fiscal year 2019.'';

(2) in paragraph (2)—

(A) by striking ''Amounts made'' and inserting ''Subject to paragraph (3), amounts made''; and

(B) by striking ''September 30, 2016'' and inserting ''September 30, 2021''; and

(3) by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR FY 2019.—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.''.

(b) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

''(2) FUNDING.—From the amounts appropriated under subsection (h)(1)(F) for fiscal year 2019, $500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.''.

(c) TECHNICAL AMENDMENT.—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

''(10) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.''.

SEC. 102. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is amended by striking ''the 5-year period that begins on January 1, 2014,'' and inserting ''the period beginning on January 1, 2014, and ending on March 31, 2019,''.

(b) RULE OF CONSTRUCTION.—

(1) PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r–5) shall be construed as prohibiting a State from disregarding an individual's spousal income and assets under a State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) STATE WAIVER OR PLAN AMENDMENT DESCRIBED.—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual's spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

SEC. 103. REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM.

Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

''(k) REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.—

''(1) IN GENERAL.—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

''(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

''(B) for calendar quarters in 2023, by 0.25 percentage points;

''(C) for calendar quarters in 2024, by 0.35 percentage points; and

''(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

''(2) NON-COMPLIANT STATE DEFINED.—For purposes of this subsection, the term 'non-compliant State' means a State—

''(A) that is one of the 50 States or the District of Columbia;

''(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

''(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.''.

SEC. 104. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended by striking ''$31,000,000'' and inserting ''$6,000,000''.

SEC. 105. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(d) PAYGO ANNUAL REPORT.—For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

DIVISION C—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2019

The following sums in this division are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH AND MARKETING

OFFICE OF THE SECRETARY

For an additional amount for the ''Office of the Secretary'', $1,105,442,000, which shall remain available until December 31, 2020, for necessary expenses related to losses of crops (including milk), trees, bushes, and vines, as a consequence of Hurricanes Michael and Florence, other hurricanes, typhoons, volcanic activity, and wildfires occurring in calendar year 2018 under such terms and conditions as determined by the Secretary: Provided, That the Secretary where authorized may provide assistance for such losses in the form of block grants to eligible states and territories and such assistance may include compensation to producers, as determined by the Secretary, for forest restoration and poultry and livestock losses: Provided further, That in the case of producers impacted by volcanic activity that resulted in the loss of crop land, or access to crop land, the Secretary shall consider all measures available, as appropriate, to bring replacement land into production: Provided further, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 85 percent of the loss as determined by the Secretary: Provided further, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the applicable crop year under NAP for the crop incurring the losses shall not exceed 65 percent of the loss as determined by the Secretary: Provided further, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, excluding tree insurance policies, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: Provided further, That, not later than 120 days after the end of fiscal year 2018, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY

EMERGENCY FOREST RESTORATION PROGRAM

For an additional amount for the ''Emergency Forest Restoration Program'', for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, $200,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'', for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Michael and Florence and of wildfires occurring in calendar year 2018, and other natural disasters, $125,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

For an additional amount for ''Rural Community Facilities Program Account'', $8,000,000, to remain available until September 30, 2020, for Community Facilities Technical Assistance and Training Grants pursuant to section 306(a)(26) of the Consolidated Farm and Rural Development Act to assist recovering communities in identifying public and private resources to address identified community facility needs related to disaster relief, long-term recovery, and economic revitalization as a consequence of Hurricanes Michael and Florence: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. Notwithstanding section 3(r) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028), not to exceed $8,500,000 of funds made available for the contingency reserve under the heading ''Supplemental Nutrition Assistance Program'' of division A of Public Law 115–31 shall be available for the Secretary to provide a grant to the Commonwealth of the Northern Mariana Islands for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: Provided, That funds made available to the Commonwealth of the Northern Mariana Islands under this section shall remain available for obligation by the Commonwealth until September 30, 2020, and shall be in addition to funds otherwise made available: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. For purposes of administering Title I of Subdivision 1 of Division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), losses to agricultural producers resulting from hurricanes shall also include losses incurred from Tropical Storm Cindy and losses of peach and blueberry crops in calendar year 2017 due to extreme cold: Provided, That the amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for ''Economic Development Assistance Programs'' for necessary expenses related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Florence, Michael and Lane, Typhoons Yutu and Mangkhut, and of wildfires, volcanic eruptions and other natural disasters occurring in calendar year 2018 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $300,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That within the amount appropriated, up to 2 percent of funds may be transferred to the ''Salaries and Expenses'' account for administration and oversight activities: Provided further, That within the amount appropriated, $1,000,000 shall be transferred to the ''Office of Inspector General'' account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for ''Operations, Research, and Facilities'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Yutu, and of wildfires occurring in calendar year 2018, $70,570,000, to remain available until September 30, 2020, as follows:

(1) $3,000,000 for repair and replacement of observing assets, real property, and equipment;

(2) $11,000,000 for marine debris assessment and removal;

(3) $31,570,000 for mapping, charting, and geodesy services; and

(4) $25,000,000 to improve (a) hurricane intensity forecasting, including through deployment of unmanned ocean observing platforms and enhanced data assimilation; (b) flood prediction, forecasting, and mitigation capabilities; and (c) wildfire prediction, detection, and forecasting: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for funding provided under subsection (4) of this heading within 45 days after the date of enactment of this Act.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for ''Procurement, Acquisition and Construction'', $25,000,000, to remain available until September 30, 2021, for improvements to operational and research weather supercomputing infrastructure and satellite ground services used for hurricane intensity and track prediction; flood prediction, forecasting, and mitigation; and wildfire prediction, detection, and forecasting: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

FISHERY DISASTER ASSISTANCE

For an additional amount for ''Fishery Disaster Assistance'' for necessary expenses associated with the mitigation of fishery disasters, $82,000,000, to remain available until expended: Provided, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, as well as those declared by the Secretary to be a direct result of Hurricanes Florence and Michael and Typhoons Yutu and Mangkhut: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, $1,336,000: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for ''Buildings and Facilities'' for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, $28,400,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for ''Payment to the Legal Services Corporation'' to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires and volcanic eruptions, $5,000,000: Provided, That the amount made available under this heading shall be used only to provide the mobile resources, technology, and disaster coordinators necessary to provide storm-related services to the Legal Services Corporation client population and only in the areas significantly affected by Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires and volcanic eruptions: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That none of the funds appropriated in this division to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this division to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively, and except that sections 501 and 503 of Public Law 104–134 (referenced by Public Law 105–119) shall not apply to the amount made available under this heading: Provided further, That, for the purposes of this division, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $200,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $400,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

INVESTIGATIONS

For an additional amount for ''Investigations'' for necessary expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection, studies which are currently authorized or which are authorized after the date of enactment of this division, to reduce risk from future floods and hurricanes, at full Federal expense, $50,000,000, to remain available until expended: Provided, That funds made available under this heading shall be for high-priority studies of projects in States that were impacted by Hurricane Florence: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, including new studies selected to be initiated using funds provided under this heading, beginning not later than 60 days after the enactment of this division.

CONSTRUCTION

For an additional amount for ''Construction'', $250,000,000, to construct flood and storm damage reduction, including shore protection, projects which are currently authorized or which are authorized after the date of enactment of this division, and flood and storm damage reduction, including shore protection, projects which have signed Chief's Reports as of the date of enactment of this division or which are studied using funds provided under the heading ''Investigations'' if the Secretary determines such projects to be technically feasible, economically justified, and environmentally acceptable, in States that were impacted by Hurricane Florence: Provided, That for projects receiving funding under this heading, the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: Provided further, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: Provided further, That using funds provided under this heading, the non-Federal cash contribution for projects eligible for funding pursuant to the first proviso shall be financed in accordance with the provisions of section 103(k) of Public Law 99–662 over a period of 30 years from the date of completion of the project or separable element: Provided further, That not less than $15,000,000 of the funds made available under this heading shall be used for continuing authorities projects to reduce the risk of flooding and storm damage: Provided further, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this division.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for ''Mississippi River and Tributaries'' for necessary expenses to address emergency situations at Corps of Engineers projects and rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters, $225,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for ''Operation and Maintenance'' for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal

projects caused by, natural disasters, $245,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For an additional amount for ''Central Utah Project Completion Account'', $350,000, to be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission, to remain available until expended, for expenses necessary in carrying out fire remediation activities related to wildfires in 2018: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'', $15,500,000, to remain available until expended, for fire remediation and suppression emergency assistance related to wildfires in 2017 and 2018: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

DEPARTMENT OF HOMELAND SECURITY

COAST GUARD

OPERATIONS AND SUPPORT

For an additional amount for ''Operations and Support'' for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $46,977,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for ''Environmental Compliance and Restoration'' for necessary expenses related to the consequences of Hurricanes Michael and Florence, $2,000,000, to remain available until September 30, 2023: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Procurement, Construction, and Improvements'' for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, $194,755,000, to remain available until September 30, 2023: Provided, That, not later than 60 days after enactment of this Act, the Secretary of Homeland Security, or her designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds appropriated under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, flooding associated with major declared disaster DR 4365, and calendar year 2018 earthquakes, $32,400,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the ''Historic Preservation Fund'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, $50,000,000, to remain available until September 30, 2022, including costs to States and territories necessary to complete compliance activities required by section 306108 of title 54, United States Code (formerly section 106 of the National Historic Preservation Act) and costs needed to administer the program: Provided, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided further, That individual grants shall not be subject to a non-Federal matching requirement: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

For an additional amount for ''Construction'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, calendar year 2018 wildfires, earthquakes, and volcanic eruptions, $78,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for ''Surveys, Investigations, and Research'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, earthquake damage associated with emergency declaration EM 3410, and in those areas impacted by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to calendar year 2018 wildfires or volcanic eruptions, $69,500,000, to remain available until expended: Provided, That of this amount, $43,310,000 is for costs related to the repair and replacement of equipment and facilities damaged by disasters in 2018: Provided further, That, not later than 90 days after enactment of this Act, the Survey shall submit a report to the Committees on Appropriations that describes the potential options to replace the facility damaged by the 2018 volcano disaster along with cost estimates and a description of how the Survey will provide direct access for monitoring volcanic activity and the potential threat to at-risk communities: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for ''Technical Assistance'' for financial management expenses related to the consequences of Typhoon Yutu, $2,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'' for necessary expenses related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et. seq.) in 2018, $1,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for ''Science and Technology'' for necessary expenses related to improving preparedness of the water sector, $600,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For an additional amount for ''Leaking Underground Storage Tank Fund'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, $1,500,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for ''State and Tribal Assistance Grants'' for necessary expenses related to the consequences of Hurricanes Florence and Michael for the hazardous waste financial assistance grants program, $1,000,000, to remain available until expended; for necessary expenses related to the consequences of Typhoon Yutu for the hazardous waste financial assistance grants program and for other solid waste management activities, $56,000,000, to remain available until expended; and for grants under section 106 of the Federal Water Pollution Control Act, $5,000,000, to remain available until expended, to address impacts of Hurricane Florence, Hurricane Michael, Typhoon Yutu, and calendar year 2018 wildfires, notwithstanding paragraphs (b), (e), and (f), of such section: Provided, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for ''Forest and Rangeland Research'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, $1,000,000, to remain available until

expended for the forest inventory and analysis program: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND PRIVATE FORESTRY

For an additional amount for ''State and Private Forestry'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, $2,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, $63,960,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for ''Capital Improvement and Maintenance'' for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, $36,040,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Wildland Fire Management'', $720,271,000, to remain available through September 30, 2022, for urgent wildland fire suppression operations: Provided, That such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2018 to fully repay those amounts: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 601. Not later than 45 days after enactment, the Agencies receiving funds appropriated by this title shall provide a detailed operating plan of anticipated uses of funds made available in this title by State and Territory, and by program, project, or activity, to the Committees on Appropriations: Provided, That no funds shall be obligated before the operating plans are provided to the Committees: Provided further, That such plans shall be updated, including obligations to date, and submitted to the Committees on Appropriations every 60 days until all funds are expended.

TITLE VII

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for ''Children and Families Services Programs'', $25,000,000, to remain available until September 30, 2021, for Head Start programs, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoons Mangkhut and Yutu, and wildfires occurring in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190), including making payments under the Head Start Act: Provided, That none of the funds appropriated in this paragraph shall be included in the calculation of the ''base grant'' in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: Provided further, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: Provided further, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: Provided further, That up to $500,000 shall be available for Federal administrative expenses: Provided further, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the ''Public Health and Social Services Emergency Fund'', $15,500,000, to remain available until September 30, 2020, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoons Mangkhut and Yutu, and wildfires occurring in calendar year 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190) (referred to under this heading as ''covered disaster or emergency''), including activities authorized under section 319(a) of the Public Health Service Act (referred to in this title as the ''PHS Act''): Provided, That of the amount provided, $7,500,000 shall be transferred to ''Health Resources and Services Administration—Primary Health Care'', for expenses directly related to the covered disaster or emergency for disaster response and recovery, for the Health Centers Program under section 330 of the PHS Act, including alteration, renovation, construction, equipment, and other capital improvement costs as necessary to meet the needs of areas affected by a covered disaster or emergency: Provided further, That the time limitation in section 330(e)(3) of the PHS Act shall not apply to funds made available under the preceding proviso: Provided further, That of the amount provided, not less than $7,500,000 shall be transferred to ''Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support'' for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, treatment of substance abuse disorders, and other related helplines, and for other similar programs to provide support to a covered disaster or emergency: Provided further, That of the amount provided, up to $500,000, to remain available until expended, shall be transferred to ''Office of the Secretary—Office of Inspector General'' for oversight of activities responding to such hurricanes, typhoons, and wildfires: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Hurricane Education Recovery'', $50,000,000, to remain available through September 30, 2021, for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Mangkhut and Yutu, and wildfires or earthquakes occurring in 2018 in those areas for which a major disaster or emergency has been declared under sections 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190) (referred to under this heading as ''covered disaster or emergency''), for assisting in meeting the educational needs of individuals affected by a covered disaster or emergency: Provided, That such assistance may be provided through any of the programs authorized under this heading in title VIII of subdivision 1 of division B of Public Law 115–123 (as amended by Public Law 115–141), as determined by the Secretary of Education, and subject to the terms and conditions that applied to those program, except that the Secretary shall understand references to dates and school years in Public Law 115–123 to be the corresponding dates and school years for the covered disaster or emergency: Provided further, That the Secretary of Education may determine the amounts to be used for each such program: Provided further, That $500,000 of the funds made available under this heading, to remain available until expended, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to $500,000 of the funds made available under this heading shall be for program administration: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 701. Not later than 30 days after enactment of this Act, the Secretaries of Health and Human Services and Education shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: Provided, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until all funds are expended or expire.

SEC. 702. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

TITLE VIII

LEGISLATIVE BRANCH

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,000,000, to remain available until expended, for audits and investigations relating to Hurricanes Florence, Lane, and Michael, Typhoons Yutu and Mangkhut, the 2018 wildfires and volcano eruptions, and other disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That not later than 90 days after the date of enactment of this Act, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spend plan specifying funding estimates for audits and investigations of any such declared disasters occurring in 2018 and identifying funding estimates or carryover balances, if any, that may be available for audits and investigations of any other such declared disasters: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $90,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricanes Florence and Michael: Provided, That not later than 60 days after enactment of this Act, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $150,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricane Michael: Provided, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations damaged by Hurricane Michael: Provided further, That, not later than 60 days after enactment of this Act, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for ''Military Construction, Army National Guard'', $42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: Provided, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a form 1391 for each specific project: Provided further, That, not later than 60 days after enactment of this Act, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such funds may be obligated or expended for military construction projects not otherwise authorized by law: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL FACILITIES

For an additional amount for ''Medical Facilities'', $3,000,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu: Provided, That the Secretary of Veterans Affairs, upon determination that such action is necessary to address needs as a result of the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu, may transfer such funds to any discretionary account of the Department of Veterans Affairs: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall submit notice thereof to the Committee on Appropriations of the House of Representatives and the Senate: Provided further, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Of the amounts made available for ''Federal Aviation Administration–Operations'' in Division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), up to $18,000,000 shall also be available for necessary expenses related to the consequences of major declared disasters occurring in calendar year 2018: Provided, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION

EMERGENCY RELIEF PROGRAM

For an additional amount for the ''Emergency Relief Program'' as authorized under section 125 of title 23, United States Code, $1,650,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION

PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

For an additional amount for the ''Public Transportation Emergency Relief Program'' as authorized under section 5324 of title 49, United States Code, $10,542,000 to remain available until expended, for transit systems affected by major declared disasters in 2018: Provided, That not more than three-quarters of one percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(f)(2) of such title and shall be in addition to any other appropriations for such purpose: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Community Development Fund'', $1,060,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: Provided further, That any funds made available under this heading and under the same heading in Public Law 115–254 that remain available after the funds under such headings have been allocated for necessary expenses for activities authorized under such headings shall be allocated to grantees that received allocations for disasters that occurred in 2018 for mitigation activities in the most impacted and distressed areas resulting from a major disaster that occurred in 2018: Provided further, That such allocations shall be made in the same proportion that the amount of funds each grantee received under this division and the same heading in division I of Public Law 115–254 bears to the amount of all funds provided to all grantees that received allocations for disasters that occurred in 2018: Provided further, That of the amounts made available under the text preceding the first proviso under this heading and under the same heading in Public Law 115–254, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of the sum of such amounts of funds within 120 days after the enactment of this Act based on the best available data, and shall allocate no less than 100 percent of such funds by no later than 180 days after enactment of this Act: Provided further, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in Public Law 115–254 for non-Federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): Provided further, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses for working capital purposes to aid in recovery: Provided further, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: Provided further, That with respect to any such duplication of benefits, the Secretary and any grantee under this section shall not take into consideration or reduce the amount provided to any applicant for assistance from the grantee where such applicant applied for and was approved, but declined assistance related to such major declared disasters that occurred in 2017 and 2018 from the Small Business Administration under section 7(b) of the Small Business Act (15 U.S.C. 636(b)): Provided further, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary: Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations

made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): Provided further, That a State, unit of general local government, or Indian tribe may use up to 5 percent of its allocation for administrative costs: Provided further, That the first proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115–254) is amended by striking ''State or unit of general local government'' and inserting ''State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))'': Provided further, That the sixth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115–254) is amended by striking ''State or subdivision thereof'' and inserting ''State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))'': Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: Provided further, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: Provided further, That of the amounts made available under this heading, up to $5,000,000 shall be made available for capacity building and technical assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations pursuant to this heading, received disaster recovery allocations under the same heading in Public Law 115–254, or may receive similar allocations for disaster recovery in future appropriations Acts: Provided further, That of the amounts made available under this heading and under the same heading in Public Law 115-254, up to $2,500,000 shall be transferred, in aggregate, to ''Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development'' for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: Provided further, That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115– 254 and the aggregate of such amounts shall be available for any of the purposes specified under this heading or the same heading in Public Law 115–254 without limitation: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 1001. (a) Amounts previously made available for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster, including funds provided under section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and any mitigation funding provided under the heading ''Department of Housing and Urban Development–Community Planning and Development–Community Development Fund'' of Public Law 115–123 that were allocated in response to Hurricane Matthew may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Florence. In addition, any funds provided under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' in this Act or in division I of Public Law 115–254 that are allocated in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew. Until HUD publishes the Federal Register Notice implementing this provision, grantees may submit for HUD approval revised plans for the use of funds related to Hurricane Matthew that expand the eligible beneficiaries of existing programs contained in such previously approved plans to include those impacted by Hurricane Florence. Approval of any such revised plans shall include the execution of revised grant terms and conditions as necessary.

(b) Amounts made available for administrative costs for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas under this title or any future Act, and amounts previously provided under section 420 of division L of Public Law 114–113, section 145 of division C of Public Law 114–223, section 192 of division C of Public Law 114–223 (as added by section 101(3) of division A of Public Law 114–254), section 421 of division K of Public Law 115–31, and under the heading ''Department of Housing and Urban Development—Community Planning and Development—Community Development Fund'' of division B of Public Law 115–56, Public Law 115–123, and Public Law 115–254, shall be available for eligible administrative costs of the grantee related to any disaster relief funding identified in this subsection without regard to the particular disaster appropriation from which such funds originated.

(c) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement or as being for disaster relief pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress, respectively, as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE XI

GENERAL PROVISIONS—THIS DIVISION

SEC. 1101. Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1102. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1103. Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

SEC. 1104. Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1105. For purposes of this division, the consequences or impacts of any hurricane shall include damages caused by the storm at any time during the entirety of its duration as a cyclone, as defined by the National Hurricane Center.

SEC. 1106. Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

This division may be cited as the ''Additional Supplemental Appropriations for Disaster Relief, 2019''.

The SPEAKER pro tempore. The motion shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 1830

Mr. FRELINGHUYSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of the House amendment to the Senate amendment to H.R. 695, a bill making further additional continuing appropriations for the fiscal year 2019.

This measure keeps our government open until February 8, 2019, and prevents a costly, destabilizing government shutdown. This continuing resolution reflects the House position on

border security and provides $5 billion for the construction of physical barriers at our borders.

This is the same amount that was provided in the Homeland Security funding bill approved by the House Appropriations Committee back in July of this year. In addition, this legislation includes $7.8 billion in supplemental funding for disaster relief.

Congress has always been responsive to hurricanes, and wildfires, and typhoons, and other natural disasters. We must continue to do so to help our fellow Americans as they rebuild their lives and livelihoods.

I don't support a government shutdown, and I never have. Americans deserve stability and predictability of a government that is 100 percent operational. I would have much preferred to complete negotiations on our remaining seven bills with our Senate counterparts, but there were several very challenging issues that remained. As I stated before, a continuing resolution is the last resort when it comes to funding the Federal Government.

Mr. Speaker, I urge my colleagues to vote ''yes'' on this bill, and I urge the Senate to do the same, and I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last night, the Senate unanimously passed legislation that would fund our government through February 8. Democrats are disappointed that Congress would kick the can down the road once again; yet, we remain willing to pass that bill to keep the government open.

Unfortunately, even that simple, stopgap measure is apparently unacceptable to a President hell-bent on shutting down the government over his wasteful wall. And instead of showing leadership and moving forward with the Senate legislation, despite the President's tweets, House Republicans have caved once again to Trump's political whims.

They now have put up this grab bag of legislation that wastes taxpayer dollars, fails to meet the urgent needs of disaster victims, and, frankly, is dead on arrival in the Senate.

With all the challenges facing our country, from soaring healthcare costs to crumbling infrastructure, it is inconceivable that Republicans want to spend $5.7 billion on an unnecessary wall that President Trump himself promised Mexico would pay for.

Moreover, the disaster supplemental attached to this bill shortchanges nutrition needs in Puerto Rico, needs that were apparent 16 months ago. Republicans have continued their pattern of denying science by grossly underfunding mitigation and resilience against future disasters caused by climate change.

Mr. Speaker, this bill is nothing but another attempt by lameduck Republicans to appease President Trump. It is a fitting final act for the most chaotic and dysfunctional Congress in modern history.

Mr. Speaker, I oppose this reckless and irresponsible bill. I urge my colleagues to reject this legislation, and, instead, pass the Senate's clean CR. Keep our government open, and prevent a Trump shutdown. I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. Mr. Speaker, just over 2 months ago, Hurricane Michael ravaged the panhandle of Florida. It was a devastating Category 4.9 storm, which damaged more than 90 percent of Tyndall Air Force Base, decimated our agriculture industry, and destroyed entire communities.

Mr. Speaker, the folks back home in my district, the Second District of Florida, are hurting. This supplemental disaster relief funding is a downpayment on getting the hard-working folks in my district back on their feet. This funding, by no means, is even close to what we will need to completely rebuild, but it is a start.

I commend President Trump for remaining steadfast in his commitment to our Nation. After Hurricane Michael, President Trump and Vice President PENCE came down to the Second District and made it clear that we have their support and we will rebuild.

Mr. Speaker, I will continue to fight for the disaster relief funding in the coming months and years because the survivors of Hurricane Michael across the South deserve nothing less.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Energy and Water Development, and Related Agencies Subcommittee.

Ms. KAPTUR. Mr. Speaker, I thank the ranking member, Mrs. LOWEY from New York, for yielding. And here we are, again, and again, and again—in fact, that is the ninth continuing resolution that the Republicans have punted in this Congress rather than getting the job done.

This President claims to be a great dealmaker, but what kind of a deal does he even want? He keeps switching the goal posts again and again. It reminds me of a child who flips over a Monopoly board when he realizes he is about to lose.

The President's nonsense is compounded by the dysfunction, sadly, of the House Republicans. They are about to vote on funding a bill that has no chance of becoming law, zero chance of becoming law. All of this because they want to waste money on a border wall that Mexico was supposed to pay for and won't work anyway because it is 13th century technology.

Imagine billions of dollars being able to pay some of the student loan debt around this country, or help our teachers earn better salaries, or pave the roads and bridges around this country that need repair, or invest in good clean-air energy jobs. Take your pick, Mr. President, but $5.7 billion for a wall that won't even work? No thanks.

The American people expect so much more of us in this Congress. Sadly, the Republican leadership and this President are attempting eleventh-hour shenanigans to get a wall that voters across this country, clearly, definitely rejected when they sent a new majority to Congress. And, frankly, they can't get here fast enough.

The American people deserve better. I urge my colleagues to vote ''no.''

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to discuss the importance of any funding bill, including funding for the border wall, as well as funding for our communities and farmers who have been hit hard by natural disasters.

For those of us representing rural communities, we know how important the agriculture community is, not just to the livelihood of those areas, but to our entire Nation. Our farmers are often the unsung heroes of our Nation, helping to create and maintain the breadbasket that our country is known for.

In short, the American farmer feeds the world. It is not by accident that American agriculture produces the safest and most abundant food supply in the world. It is through blood, sweat, and tears over generations.

In my home State of Georgia, agriculture is our top industry. Blueberries represent a $1 billion industry across Georgia, and the commodity is the backbone in many of our communities. After several hurricanes and other natural disasters, it is past time that Congress takes a stand to support our agriculture community by addressing their needs.

I have been fighting for months to secure the disaster relief needed by our farming community, especially blueberries. Plain and simple, disaster relief funding must be included in any end-of-the-year funding package.

Georgia has faced devastating weather recently, including hurricanes and freezes. Georgians in every corner of the State are feeling the impact. Whether it is along the coast or southwest Georgia, the need for disaster funding is very much alive. Our number one responsibility is to our constituents, those who have put their faith in us to do what is right for our districts and for our country.

For this reason, Congress should stay here until we get this job done. We need border security and we cannot kick the can on disaster funding. I urge my colleagues to help us get this to the finish line and to provide the help that millions of Americans are depending on. Vote for our national security. Vote for our farmers and growers who desperately need disaster assistance. Let's get this done.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. SERRANO),

the ranking member of the Commerce, Justice, Science, and Related Agencies Subcommittee.

Mr. SERRANO. Mr. Speaker, I thank the gentlewoman for yielding me this time. For me, this is a very simple thought; it is the same thought I have had all along; this country, of all countries, should not be building a wall. This country, the land of opportunity, the land of freedom, the land where people come to build a new life, should not be building a wall.

So what do we do? There isn't the support necessary for building the wall, for funding it. So at the last minute, we sneak it into a so-called must-pass bill, or otherwise, you shut the government down.

But the President has already said that he doesn't mind taking credit or taking responsibility for shutting this government down. This is very simple.

People say, well, there is aid here, disaster aid. We have been dealing with this disaster issue now for over a year, and still, we don't do the right thing.

This is simple for me. We can't build a wall. This wall will be a waste of money. I don't know who, but as we speak here, there are people already who know how to get over, through, and under the wall. The wall is not what we need. What we need is immigration reform, and we need another outlook.

But, lastly, again, I repeat: of all of the countries in the world, this is the one that can't go down in history as being the greatest democracy when it builds a wall. And in my city, there is a statue that says: Give me your tired; give me your poor. But not if they come from Mexico.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, our Federal Government was founded for one purpose: to fulfill the charges set forth in the Constitution, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty.

Lawmakers take an oath to uphold the Constitution. We fail in our sworn duty if we refuse to ensure the sovereignty, security, and wellbeing of this Nation through secure borders. The situation at the border is a serious problem that demands our immediate attention. It has been constantly brushed aside because somewhere along the way, our conversation about border security got muddled.

The wall, border patrol, surveillance of human trafficking routes, all of these have been recast exclusively into the context of immigration policy.

Border security is, indeed, a part of immigration policy, but it is much more than that. It is part of keeping drugs off our streets and keeping Americans safe. Our porous borders can allow drugs, cartels, and even terrorists into our Nation. An unsecure border makes it impossible for us to enact meaningful immigration reform as we cannot expect any legal system to work if we do not have control of who is entering.

Funding for border security is not a political point. This is about keeping America safe, keeping illicit drugs out of our country, and protecting American families and our own precious lives.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member of the Transportation, House and Urban Development, and Related Agencies Subcommittee.

Mr. PRICE of North Carolina. Mr. Speaker, once again, we find ourselves only hours away from the third Republican shutdown of the Trump Presidency, and we know how we got here.

□ 1845

Seven key appropriations bills, six of them teed up with bipartisan support, could have and should have been passed in September or, for that matter, this very week. Instead, Republicans came up with a 6-week continuing resolution, and now they have backed down even on that.

Instead of taking ''yes'' for an answer following last night's Senate vote on this continuing resolution, the best House Republicans could come up with is a craven attempt to placate the President and his anti-immigrant demagoguery.

Despite telling us for years that Mexico would pay for this grandiose border wall, the President and the Speaker have decided that fulfilling this foolhardy campaign promise is worth shutting down the government.

The President said so himself last week. ''I will take the mantle,'' he said. ''I will be the one to shut it down.''

To add insult to injury, as though throwing billions in taxpayer money at the President's wall wasn't bad enough, the Republican majority now has cynically added much-needed disaster recovery funds in the final hour, despite knowing full well that this bill is no more than a political stunt.

Mr. Speaker, we know we need these disaster funds. I have repeatedly stressed the urgency of increased funding for the millions in my State still reeling from disasters. But it is cynical; it is deceptive; and it is cruel to hold the needs of these people hostage to fulfill President Trump's anti-immigrant wish list.

Our Nation faces many pressing needs: disaster recovery and comprehensive immigration reform. But the best Republicans can give us is political games and Twitter tantrums. We have a responsibility to our constituents to keep the government open, and by providing cover to the President's impulses, my colleagues are failing on that responsibility.

So let's end this charade. Let's pass the Senate continuing resolution, and let's fulfill our most basic responsibility, to fund our government.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this legislation, which will continue operations for several Federal agencies and, importantly, appropriate funds to be used in securing the southern border.

We have talked for years about securing our border. This is important for the entire Nation. My perspective comes from representing a district hard-hit with the opioid epidemic. Mexico and the United States have a mutual interest in securing our border.

Heroin, fentanyl, methamphetamines, and other narcotics flow northbound while, importantly, illicit cash is flowing southbound. This illicit cash is fueling a reign of terror by Mexican drug cartels that have murdered more than 200,000 Mexico citizens over the last 10 years, and only 5 percent of them have been prosecuted.

They have killed priests. They have killed journalists. They have killed students. And they have killed each other. There are mass graves all over Mexico.

Mr. Speaker, we need to secure that border for the benefit of both countries. It is past time we do this, and I ask support for this legislation.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. ROYBAL-ALLARD), who is the ranking member of the Homeland Security Subcommittee.

Ms. ROYBAL-ALLARD. Mr. Speaker, Democrats understand the critical responsibility we have to keep our government funded and to serve the needs of the American people. But House Republicans are driving our Nation to the brink of another disastrous government shutdown.

Republicans, who control the House, the Senate, and the White House, have the power to keep our government open. Yet, at a time of great economic uncertainty and right in the middle of the holiday season, Republicans are refusing to stand up to the President who made it clear he would be proud to shut down the government if he cannot force American taxpayers to spend billions of dollars on an immoral, ineffective, and expensive wall.

The fact is that serious homeland security vulnerabilities will not be addressed if the President is allowed to squander $5.7 billion on a border wall. This includes not being able to hire more law enforcement agents to focus on opioid, gang, trade, and child exploitation investigations; no funding to recapitalize the Coast Guard's air and sea fleets, including the procurement of our first heavy icebreaker since the 1970s. As Arctic ice recedes, Russia, China, and other countries are winning the race to lay claim to the vast resources of that region where, at times, there is no U.S. presence.

There will be no funding to hire additional Customs officers to intercept illicit drugs and other contraband, almost all of which comes into our country through the ports of entry.

Mr. Speaker, there will be no increased funding for first responder grants to help States and localities better prepare and respond to terrorism and disasters of every kind.

All of these funding needs have strong, bipartisan support, yet these critical national security needs simply cannot be met if we waste $5.7 billion on an overly expensive and unnecessary border wall.

On election day, the American people sent a message that they want a government that works for them. Unfortunately, House Republicans continue to ignore them and are steering our Nation into a Trump shutdown. The Senate passed a clean, bipartisan CR extension to keep our government open. It is time for House Republicans to do the same on behalf of the American people.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CULBERSON), who is a member of the House Appropriations Committee.

Mr. CULBERSON. Mr. Speaker, I hope my colleagues will join me tonight in voting for this important bill to keep our word to the American people. Keeping our word to our constituents is one of our most important responsibilities, and the President and those of us who ran to secure the southern border promised that we would see this wall built in those parts of the border where it makes sense.

We are relying on the good judgment of our sector chiefs down on the border to tell us whether a fence makes the most sense or a wall or perhaps a weir dam in places on the Rio Grande River where you simply dam up the water. Where the local sector chief believes that is probably the best way to secure the border, we are going to follow that recommendation.

But this $5 billion that is set aside in this bill for construction of border fencing and a wall is consistent with what the full Appropriations Committee did this summer. We debated this extensively, Mr. Speaker. We all talked about this. This is not a new number. This is something that the full committee voted on and approved when the Appropriations Committee voted the Homeland Security bill out of committee this summer.

This is consistent with what the committee did. This keeps our word to our constituents, and we are also keeping our word to those Americans who suffered as a result of the disasters in California with the wildfires and the flooding that occurred from the hurricanes.

Mr. Speaker, I thank Chairman FRELINGHUYSEN again for his support of the people of southeast Texas who suffered from Hurricane Harvey. It was my privilege, as the Representative from District Seven in west Houston, to help spearhead that recovery package for Hurricane Harvey that brought together the delegations from Florida and Texas.

Mr. Speaker, we put together, with the chairman's help, the largest hurricane recovery package in the history of the United States and made sure that the people who need that money got it as soon as possible. That is another reason it is so important to pass this bill to make sure the flood-ravaged people of Florida get the help they need.

Above all, this is about keeping our word to our constituents, something I have been proud to do in representing the people of west Houston in District Seven for 18 years.

Mr. Speaker, I urge my colleagues to join me in supporting this important piece of legislation tonight.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE), who is a senior member of the Appropriations Committee.

Ms. LEE. Mr. Speaker, let me thank the gentlewoman for yielding and for her leadership on so many issues.

Mr. Speaker, I rise this evening in opposition to this bill. It really is a hateful and un-American demand for $5 billion to build President Trump's border wall.

Let's be clear: President Trump and congressional Republicans aren't negotiating. They are holding our government hostage and demanding this wasteful, expensive wall as their ransom.

Republicans control the House, the Senate, and the White House. Mr. Speaker, you would think that they could at least keep the government open. Instead of passing the Senate-passed, clean continuing resolution to prevent a shutdown, Republicans want to vote on this unnecessary border wall.

Mr. Speaker, this is completely irresponsible. Federal workers rely on their paychecks, especially during the holidays. People have planned national park trips over the holidays.

Is President Trump really going to shut down the American government in the midst of this holiday season during their vacation, during their time with their families? How sinister and mean-spirited can the President and our Republican colleagues be?

But this wouldn't be the first time that the Republicans were manufacturing a crisis. The Republican-led shutdown in 2013 cost our economy $24 billion. If President Trump shuts down the government—for the third time this year, I might add—he will sabotage our economy.

Instead of pushing forward with this bill, House Republicans should allow a vote on the Senate-passed continuing resolution to keep the government open.

Mr. Speaker, I urge my colleagues to vote ''no'' on this disastrous bill.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. JODY B. HICE).

(Mr. JODY B. HICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I thank my friend for his great leadership.

Mr. Speaker, I rise in support of this bill and urge my colleagues to come together in support of securing our Nation's southern border.

We finally now have an opportunity before us that enables us to take a step in resolving the immigration and border crisis, frankly, one that is growing daily in its scope and complexity, largely because of the inaction of this body. But we have the opportunity now to change that.

The $5 billion requested by the President is a relatively small amount when we consider the Federal Government's discretionary spending this year is at a whopping $1.3 trillion. That comes to about $2.5 million a minute. If you do the math, this $5 billion comes to less than 1½ days' worth of Federal spending, about 33 hours.

To give people some degree of comparison, in late 2016, the Department of Transportation awarded a little over $1 billion in a grant to the city of San Diego to expand its trolley service 11 miles. That is roughly $100 million per mile for something that the DOT estimated only 25,000 people would use. If we can spend $1 billion on a trolley for 11 miles that very few people will even use, then, certainly, we can spend $5 billion to do something that is going to benefit and protect our Nation, our border.

Wherever walls have been built on our border, whether we are dealing with San Diego or El Paso or Tucson or wherever, the walls have been effective tremendously.

The border wall in itself is no magic bullet. There are some other things we need to do: closing the asylum loopholes, for example; making E-Verify mandatory; ending chain migration; and shifting toward a merit-based immigration system. But this is our opportunity to secure the border, and I urge support for the bill.

But these other solutions cannot be effective unless we can ensure that our border is secure. These solutions are mutually supportive.

It is now or never, Mr. Speaker.

We made a promise to the American people and they sent us here to fulfill that promise.

This bill also provides some much needed disaster relief for States like Georgia.

I urge my colleagues to support the funding bill, to support the President, and—most importantly—to support the American people.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER), who is the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding.

What a sad day.

Chairman FRELINGHUYSEN, I feel badly that you are leaving on this note. I know it is not your wish. I know that, if you were in charge, we would have reached agreement. I know, under your leadership, we passed—we didn't pass them. Six bills were forged in a bipartisan way, not our bills, your bills.

Mr. Speaker, the seventh bill is also agreed to, save one item, so that approximately 96 percent of the legislation has been agreed to by both sides, and the United States Senate has passed a continuing resolution based upon those bills by voice vote. Yet here we are, twisting in the wind at 7 p.m. on the day before the government shuts down.

What a sad performance. What a regrettable lack of responsibility, how we have undermined the faith of our people, treated the Federal employee terribly, and given cause for the rest of the world to think: What are they doing?

There is not one person on the Republican side of the aisle who believes that, if they pass this bill, it will be accepted by the Senate. Not one of you believes that. So we are playing political games here to pander to the President of the United States, who sadly rejected a compromise that was reached by all of us.

□ 1900

The majority leader of your party and the Speaker were for this compromise. We were for this compromise and the Senate was for this compromise. One person, why are we here?

I will shut down the government, absolutely. I am proud to shut down the government. That is what the President of the United States said just a few days ago. And today, he put the entire Congress in a tizzy.

How sad it is that the Republican leadership of this Congress and the last Congress have consistently been unable to meet their fiscal responsibilities.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. LOWEY. Mr. Speaker, I yield the gentleman from Maryland an additional 1 minute.

Mr. HOYER. John Boehner brought a bill to open up the government and, sadly, only 78 Republicans would follow their leadership—Mr. Boehner, Mr. Cantor, Mr. MCCARTHY—only 78, and the rest, including the present Director of OMB, voted to keep the government shut down.

So I am not surprised that we are here, but it is sad that we are here acting so irresponsibly. If we have one duty as we come here, it is to have our government function effectively for our people. We are failing tonight.

This is a pretense. This bill is going nowhere. The Senate won't accept it. Perhaps the Senate will send it back, amended—perhaps. But we are, we think, adults. Let's act responsibly. Defeat this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, I don't quite understand what the other side is saying today, talking about politics and being irresponsible and not compassionate. Are you kidding me?

Here in the House of Representatives and in the Senate we take an oath to support and defend our Constitution. That means keeping our families safe. There is no more important responsibility, nothing more important than keeping our families safe. That means rebuilding our military, and, yes, it also means securing our borders and knowing who is entering our country.

I don't know why it is so hard to make a distinction between what is legal and what is illegal entry. I come from Maine. We have a 600-mile border with Canada. They are great neighbors. But I feel for the people down in the southwest part of our country. It is common sense to secure our borders, know who is entering our country.

I will tell you, my heart goes out to these folks who have made their way from Central America to the other side of the border fence with Texas, in Mexico, wanting to come in here. But we don't know who they are, beyond the fact that we do know, according to Homeland Security, there are 600 folks who have criminal backgrounds.

These folks have been offered asylum and work permits by the country of Mexico—every single one of them—and they have refused. Now they want to enter our country. Fine, but they have got to do it legally.

In rural Maine, we have been hard-hit by the opioid epidemic. There is nothing more difficult than this issue in rural America. Eighty percent of this terrible, cheap heroin—deadly heroin—which is a substitute for the opioid pills comes over that southwest border.

The House should pass this bill and secure our borders. It is common sense. The best Christmas gift for America is securing our borders, and I support this bill.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Labor, Health and Human Services, and Education, and Related Agencies Subcommittee.

Ms. DELAURO. Mr. Speaker, if the other side of the aisle thought this was such an important bill, they should have brought it to the floor. That is what we do here.

Mr. Speaker, I rise in opposition to the amendment before us. It is staggering that the Republicans have the United States careening toward another government shutdown.

The American people do not want a shutdown. Hundreds of thousands of workers will be sent home. Many others will continue to work without pay. Parks and museums will close down. In fact, according to the estimates by The Connecticut Mirror, this Trump shutdown—and he does own it—could impact as many as 1,500 Federal employees in Connecticut, right before the holidays.

The American people don't want a wall. It does not reflect our values as a nation. Experts are telling us it is not an effective use of taxpayer dollars with regards to maintaining border security. It is money we should be spending on working families, on roads and schools in our communities, not a fence in the desert.

It is not just a border wall, which was a nonstarter. Disaster relief provisions of the CR are inadequate. It fails to meet the communities devastated by disaster, risking the future of children who suffer from severe trauma. Communities are still picking up the pieces.

It leaves out $600 million of antihunger and nutrition support for women, infants, and children in Puerto Rico. That is unacceptable.

The President and the Republicans have two choices: perform the basic job of governing and keep the government open, or perform for Fox News. They have chosen the latter. It is an outrageous tantrum. This is not government for the people and by the people. It is government by tantrum and tweets.

Please vote ''no.''

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. RICE).

Mr. RICE of South Carolina. Mr. Speaker, opioids and illegal immigration are two cancers of a porous southern border, and my constituents have had enough.

Illegal immigration holds down wages and diminishes our middle class. The Democrats say they are for border security; they just don't want to pay for it—empty words.

It is funny, Mr. SCHUMER voted for a border wall in 2006, but he is against it now. Why? Because our President wants it? Empty words.

In 2017, 150 people in my district in 2017 were killed by opioid overdoses. My law enforcement agencies tell me that 85 percent of those drugs come across our porous southern border.

You say you are for border security, but you don't want to pay for it—empty words, playing politics.

There were 150 people killed in my district. They are in your districts, too. It is a cancer. It doesn't just affect my district. It is across this entire country. You say you are for border security, and you won't take any action to stop it.

Mr. Speaker, it has gone on long enough. Illegal immigration holds down wages, stretches our social safety net, holds down our middle class. The opioids kill people across our country. It is a cancer and it is growing. It is not even leveling off. It is growing, killing people in my district and yours, too.

Empty words, shame on you.

Mrs. LOWEY. Mr. Speaker, I want to make it clear that most of the opioids,

the drugs, are coming through the ports of entry.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BISHOP), the ranking member of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee.

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as a legislative body, one of Congress' core responsibilities is to keep the government open and working for the people. Another core responsibility is to help communities struck by disaster to recover and rebuild.

The continuing resolution before us is not a sufficient response to these vital needs. It includes only token disaster relief for rural communities and farmers in middle and southwest Georgia that were devastated by Hurricane Michael and other disasters that occurred in 2018.

It does not include a number of provisions that were being negotiated. It only includes $8 million for impacted rural communities, instead of $150 million.

It does not change the percentage recovery for crop losses from 85 percent for those with crop insurance to 90 percent and from 65 percent for those without crop insurance to 70 percent.

It includes less than half of the estimated need for the Emergency Forest Restoration Program, $200 million instead of $480 million.

It does not include the lower threshold for pecan tree mortality to 7.5 percent, but leaves it at the current level of 15 percent, which is totally inadequate.

It does not include the most recent estimate for the Commonwealth of the Northern Mariana Islands Disaster Nutrition Assistance, which is $8.5 million instead of $9.3 million.

Finally, it does not include any of the $600 million for Puerto Rico nutrition assistance.

Unfortunately, it does include significant funding for a misguided and wasteful wall on our southwestern border. This wall would do nothing to improve our Nation's security and is a serious misallocation of taxpayer dollars. It should have been stripped from this important legislation and considered separately.

Furthermore, this legislation is dead on arrival in the Senate.

We must do better. We must meet the significant needs of my Georgia constituents and Americans across the country who are still rebuilding from Hurricane Michael. We must pass a government bill that would avoid the damage caused by a government shutdown.

I urge my colleagues to reject this bill.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT), a member of the committee.

Mr. ADERHOLT. Mr. Speaker, I rise to support the disaster supplemental package, especially as it relates to agriculture and rural development.

As chairman of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee, I worked with the ranking member and other members who represent districts that have been impacted by this historical weather that is related to disasters to support bipartisan relief to the farming and rural communities.

From hurricanes to volcano activity, to deadly wildfires, this supplemental provides Federal financial relief to those most negatively impacted by the national disasters. While many of us favor limited government, there are times like these where Federal assistance is needed and is warranted.

Members from the Southeast to California, to Hawaii, to communities in between represent districts with agriculture and rural constituents who have suffered devastating losses to their livelihood. In my home State of Alabama, for example, producers of cotton to vegetables have lost everything. In Georgia, Florida, North Carolina, and South Carolina, producers of crop or livestock lost their source of income now and into the future.

At a time when hardworking farmers invested limited dollars and countless hours of labor, their livelihoods were wiped out within hours by a once-in-a-lifetime storm. These farmers and producers take financial risks that are unknown to most Americans. Even if the delivery of this critical relief is delayed by the normal administrative process, lenders and bankers must see a signal from the Federal Government that financial support will be coming before the next crop-year.

I want to highlight, just briefly, those parts of the package that relate to agriculture and rural communities.

The agriculture portion of the bill totals $1.4 billion. A majority of the funding supports the hardworking farmers and ranchers who produce crops and livestock for food on our dinner tables. The package also provides funding for critical watersheds damaged by the hurricanes and fires. Lastly, the funding provides for basic nutritional needs for those who qualify in the Northern Mariana Islands.

In closing, I ask my colleagues to support this bill as we build America's communities impacted by these natural disasters.

□ 1915

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member of the Subcommittee on the Interior, Environment, and Related Agencies.

Ms. MCCOLLUM. Mr. Speaker, I rise in opposition to this new Republican continuing resolution that is going nowhere. House Republicans continue to cater to every whim and Twitter temper tantrum that the President throws, abdicating their responsibility to the American people.

Last night, the Senate passed by voice vote a continuing resolution, and the House was ready to follow suit today. And the President said he would sign it. But, rather than keeping his word, the President appears to have put the demands of conservative pundits over the American people, causing a government shutdown.

It is time for Republican leadership to stand up to the President and pass the agreed-upon continuing resolution that will bring back economic certainty to our economy.

The President has still not used the money that Congress appropriated for border security last year, yet Republicans are ready to give him the same amount of funds this year, and we agreed to that. But there is no reason to waste $5.7 billion on a border wall that experts have stated will not do what the President has promised.

Our country faces many challenges—opioid epidemic, increasing effects of climate change, the rising cost of prescription drugs, an infrastructure that is crumbling—and Congress should be working on these issues.

So let us stand together. Let us pass a responsible spending bill that will keep the Government open, give our local and State governments, our businesses, and, most importantly, the American people, a sense of stability this holiday season.

The SPEAKER pro tempore. Members are again reminded to refrain from engaging in personalities toward the President.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the Republican whip.

Mr. SCALISE. Mr. Speaker, I appreciate the chairman's leadership on this.

Mr. Speaker, this is about keeping America safe. This is not a complicated vote, but it is an important vote that really defines whether or not we are going to stand for border security in this country.

For decades it has been promised. There have been bills going back to the 1980s where we were promised that we were going to get a secure border, and it never happened.

So now we have a President who ran on this issue. This isn't something that just popped up. It was front and center during the campaign.

He said: I am going to secure the border. I am going to build a wall.

The people on the other side, our Democrat friends, said they didn't want that. Some of them actually said they want open borders. Some on the other side, Mr. Speaker, have said they want to abolish ICE, the very border patrol agents that are keeping the interior of America safe.

Who are ICE? Who are the people they want to get rid of, Mr. Speaker? Those ICE agents, last year alone, saved over 900 kids from human trafficking. That is stuff that came across our border.

We are a Nation of immigrants and a Nation of laws. My great-grandparents

came here from Italy, and I am proud of that.

We, by the way, Mr. Speaker, let more than a million people into this country legally every single year. The most generous country in the world. We should be proud of that.

For those people who want to say it is a country of closed borders, this is about getting back to rule of law. This is about keeping America safe and saying there is a legal way to come here.

President Trump has said that. Even on asylum, he said, if you want to seek asylum, there is a legal way to do it. But it is pretty hard to claim asylum, Mr. Speaker, when you came through Mexico and you forced yourself across that border and Mexico said: We will offer you asylum. We will even offer you work permits and a job—and you said ''no.'' So it is really hard to say you are claiming asylum here in America when you turned down asylum in Mexico when you were coming across their border.

So it is not about asylum. It is about rule of law. What do you say, Mr. Speaker, to the millions of people from other countries all around the world who are waiting—in some cases 10 years, 15 years, 20 years—to come to America legally? They are waiting in these theoretical lines, and they are doing it the right way.

Then you have got a few thousand people who say: We are just going to storm across your border regardless. And the President stands up and says: You know what, I want to secure this border.

We have a choice to make, Mr. Speaker. Are we going to stand with the President and say we are going to give you the tools to secure the border or not? It is a straight-up vote. You are either for border security or you are against border security.

Let's not hide behind it. When you saw that meeting at the White House last week when you had the Senate minority leader and the future Speaker of the House going over to the White House, they didn't want to give the President money for the wall because they didn't want to give him a win.

You saw them. They were bragging. They just wanted to assign blame: Are you going to take blame for the shutdown? But they said: We don't want to give you money for the wall. And they have said it since.

So if they have got a personality conflict with the President, don't let the security of this Nation get in the way of that.

This President said: This is something I believe in because I care about the American people, and I have a responsibility to keep this country safe.

I wish everybody who came here across the border wanted to come here to seek the American Dream. But, Mr. Speaker, we know that there are people that have come across this border with ill intentions for our citizens all across the Nation.

Again, I mentioned last year the 900 children who were saved from human trafficking. My colleagues have talked about the opioids, the illegal drugs that come across our border.

Mr. Speaker, the Secretary of the Department of Homeland Security says, on average, every single day in America, 10 known or suspected terrorists try to come into this country illegally.

Some on the other side have said: Oh, the number is not 10. Okay, then, what is your number? How many terrorists coming into this country illegally every single day are enough? I say none.

There is a legal way to come here. Those are the people, by the way, that we know of. How many people that want to break our laws, that want to do harm to our citizens, that want to jump in front of other people who are trying to come here to America the right way, how many more people have tried to come across that we don't know about because we don't have a secure border?

So we have a President who says: I need tools.

And, oh, by the way, there are some things that are in law. Right now, we, in law, tell the President where he can and can't build the wall, what materials he can and can't use.

So he has got ideas. Mr. President has shown ideas of how to actually build a better border security wall at a cheaper cost, and yet the law prohibits him from building it cheaper, in a better way, more efficiently for the American people. How ridiculous is that?

So we remove that in this bill and tell the President he can build the wall however he wants, in the most efficient way, to keep America safe.

Again, Mr. Speaker, as I close, we have got a choice to make. There is going to be a bill before us in a few minutes that we get to vote on to say, are we going to stand up for the rule of law and keeping this country safe and supporting the President's ability to secure America's border or not?

You can vote ''yes,'' or you can vote ''no,'' but don't hide behind politics. This isn't about the personality of the person in the White House. It is whether or not we are going to respect the rule of law and keep America safe.

Mr. Speaker, I urge my colleagues to vote ''yes.''

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. RYAN), the ranking member of the Subcommittee on Legislative Branch.

Mr. RYAN of Ohio. Mr. Speaker, this has been a really interesting debate, because our friends on the other side, Mr. Speaker, it is like they have amnesia and nothing happened before the election a couple of years ago.

All of these promises about a border wall were followed by the cheers and the chants of: And who is going to pay for that wall?

And you remember all your fans would stand up: Mexico is going to pay for that wall.

Who?

Mexico.

And here we are today getting ready to shut down the Government over you asking the American taxpayer to pay for this border wall. And then some of you even are saying that we have hollow words, that our words don't mean anything, when this President is going back on the promise that he made.

He said Mexico was going to pay for it. He said it at the rallies. He was in Ohio. He was in the swing States.

And now he is going back on his word on that. And he just went back on his word where he promised the entire Senate he was going to support the continuing resolution, and you are calling us and saying our words are hollow. Are you kidding me?

Now, look, I am for border security. I am for border security. But I am not for a wall. You know what, I like cars, too. I am for cars. I am not for the Model T.

I like planes. I don't want a glider that was designed and built by Wilbur Wright.

I like my phone, but I don't want to go back and get the rotary dial out.

You guys are living in the past. And this Government is in chaos. It is in a free-fall. The market is in a free-fall. The staffing at the White House is in a free-fall. The Secretary of Defense is gone. We are pulling out of Syria.

What is going on? You are in charge of the House, the Senate, and the White House. Get a grip, and learn how to govern the country.

The SPEAKER pro tempore. Members are reminded that they should direct their comments to the Chair, and, once again, Members are reminded to refrain from engaging in personalities toward the President; otherwise, they will be ruled out of order.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise in opposition to this legislation.

We are at this point because of President Trump's recklessness and House Republicans' refusal to govern responsibly. We are already nearly 3 months behind schedule on completing the fiscal year 2019 appropriations bills.

Mr. Speaker, Democrats would prefer to get our work done instead of kicking the can down the road. However, it appears that the only thing that seemed possible for us to accomplish before adjourning for the holidays was to pass the CR until February 8 that the Senate passed unanimously last night.

However, after another Twitter tantrum, House Republicans are once again catering to Trump's worst impulses with this terrible bill. This bill wastes billions of taxpayer dollars, fails to fully address the urgent needs of disaster victims, and will fail in the Senate. It is a waste of time for us to consider it.

Our country faces many pressing needs, and there is simply no reason to waste $5.7 billion on President Trump's immoral, unnecessary, irresponsible wall.

Mr. Speaker, $5.7 billion would completely rebuild Tyndall Air Force Base, rebase the F–22s and F–35s, and completely rebuild all damaged Marine Corps facilities in North Carolina with money to spare. These are facilities and equipment that were wiped out by Hurricane Michael.

The disaster supplemental funds in this bill are designed to be a sweetener but aren't even enough to give us a toothache.

Democrats have always been willing to negotiate how best to secure our border, but we will not support the President's boondoggle vanity project that Mexico was supposed to pay for. Likewise, we strongly support a comprehensive disaster supplemental, but this bill completely fails to address mitigation and resilience efforts that will prevent future disasters.

We are now less than 36 hours from another Trump government shutdown. Democrats were prepared to bail out Republicans once again by providing the votes to pass a clean CR, yet they can't take ''yes'' for an answer.

No wonder voters have said they have had enough. This is no time for political games. It is time to go home for the holidays.

The SPEAKER pro tempore. Members are yet again reminded to refrain from engaging in personalities toward the President.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, we hear references to an ''immoral'' wall. We have heard ''wall'' demonized. Yet, I read yesterday that President Obama, in his new house, has constructed a 10-foot wall around his property. Now, either the walls work or they don't.

And if we are going to have Democrats continue to say they don't work, then you need to stand up and say: Mr. Obama, tear down your wall.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. QUIGLEY), the ranking member of the Financial Services Subcommittee.

□ 1930

Mr. QUIGLEY. Mr. Speaker, your point is well taken. I will address my remarks to the Chair.

Mr. Speaker, the arguments we have heard tonight remind us of the tale full of sound and fury signifying nothing, reminding us who told us that tale.

Every border chief since the border chief under President Reagan has said a wall will deter a crosser from somewhere between 90 seconds and 3 minutes. Mr. Speaker, $5 billion for that.

If they really want to protect our country, and that is what they are so bent on doing in spending $5 billion, my subcommittee can help you.

In January of 2017, with a high degree of certainty, the entire intelligence community said the Russians attacked our democratic process. We are not prepared for their next attack. DNI Coats warned that the lights are flashing red. We spent $380 million on election security in 2018—nothing since then.

Mr. Speaker, 40 States do not even have sufficient equipment to put on software that blocks this hacking. Mr. Speaker, 13 States don't even have a paper trail. The last time our democratic process was called into question for such matters was during Bush-Gore, where this very body spent $3.5 billion to protect its integrity. We can—we must—do better.

By the way, you have control of the House and Senate. You don't need to yell at us, folks. You can yell at your own caucus.

Mr. FRELINGHUYSEN. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Democrats support strong, smart border security, but we will not allow Republicans to fleece American taxpayers by making them pay $5.7 billion for Trump's ineffective wall. I remind my friends that 88 percent of opioids seized come through the port of entry. Let's get the facts on the table.

I will say my other comment includes praising Chairman FRELINGHUYSEN for his distinguished career in public service, for the debates on a bill that has an actual chance at becoming law.

Mr. Speaker, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I urge Members to vote ''yes'' on the bill, to keep the government open until February 8, to support critical border security, which is badly needed, and to look after the needs of so many Americans who have suffered from so many disasters over this past year.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1183, the previous question is ordered.

The question is on the motion by the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. LOWEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 6602, if ordered.

The vote was taken by electronic device, and there were—yeas 217, nays 185, not voting 31, as follows:

[Roll No. 472]

YEAS—217

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Ryan (WI)
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—185

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Buck
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Heck
Higgins (NY)
Himes
Hoyer

Huffman
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)

NOT VOTING—31

Black
Capuano
Comstock
Crowley
Davis, Danny
Duncan (SC)
Ellison
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Noem
Polis
Richmond
Rosen
Roskam
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Walz
Yarmuth

□ 1956

Ms. CLARKE of New York, Mr. CLYBURN, Ms. JONES of Michigan, Messrs. MCNERNEY, CLEAVER, and HIGGINS of New York changed their vote from ''yea'' to ''nay.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REAUTHORIZING NEW JERSEY COASTAL HERITAGE TRAIL ROUTE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6602) to reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCCLINTOCK) that the House suspend the rules and pass the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MASSIE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 382, noes 9, not voting 41, as follows:

[Roll No. 473]

AYES—382

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeGette
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Ros-Lehtinen
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NOES—9

Amash
Biggs
Brooks (AL)
Garrett
Griffith
Massie
Mooney (WV)
Rice (SC)
Yoho

NOT VOTING—41

Black
Capuano
Comstock
Cramer
Crowley
Davis, Danny
DeFazio
Delaney
Doyle, Michael F.
Duncan (SC)
Ellison
Hanabusa
Harris
Hastings
Hultgren
Jenkins (KS)
Jones (NC)
Keating
Kind
Larson (CT)
Loudermilk
Love
Lowenthal
Lujan Grisham, M.
Noem
Nolan
Panetta
Poe (TX)
Polis
Rooney, Thomas J.
Rosen
Roskam
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Tsongas
Walz
Waters, Maxine

□ 2004

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUICIDE HELP LINE

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, as we approach the holidays, I want to take a moment to talk about a difficult subject: suicide.

Suicide is epidemic in our Nation. According to the American Foundation for Suicide Prevention, suicide is currently the tenth leading cause of death in the United States, ending 48,000 lives in 2017.

For those who are suffering, you need to know you are not alone and there are many who care about you. There is hope for healing. Every person was created for a purpose, though it may be difficult at times for a person to find that purpose.

One of the most basic, and often most effective, ways to help prevent suicide is to ensure that our loved ones, friends, colleagues, and anyone else in our lives feels connected and has a sense of belonging. There is great virtue in reaching out to the marginalized and neglected, especially young people who may be lonely or bullied.

For those who are despondent and having suicidal thoughts, services like the National Suicide Prevention Hotline is vital. The hotline is a free support service available 24 hours a day, 7 days a week: 1–800–273–8255, 1–800–273–TALK.

As we enter this season of hope, let those who are hopeless encounter the encouragement that everyone needs.

CONSTITUTIONAL CRISIS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, during this holiday season, I am baffled as to why and how we have gotten here to this place.

In the last 24 hours, a tweet went out from the White House that would end the Syrian war, to the opposition of the national security team—General Mattis, the Secretary of State, the National Security Advisor, and others who thought that a tweet ending the war was never heard of in the history of the United States.

In the course of these 24 hours, we are in the midst of a political collapse, a catastrophic collapse, and a shutting down of the government. Included in the shutting down of the government will be the funding for the State Department and Homeland Security.

It is clear that we are at a constitutional crisis, one that requires the attentiveness of this body, and to recognize the leaving and retiring of General Mattis, who has indicated: Maybe you can have a Secretary of Defense that fits your thinking.

What thinking?

And then to hear from North Korea: Maybe you can remove the troops off of our borders.

This is a time for us to speak up, to protect the American people, and not a time to shut the government down.

I hope the President is listening.

THE IMPROVING HEALTH OF THE STATE OF MAINE

(Mr. POLIQUIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POLIQUIN. Mr. Speaker, during this joyful time of year, I would like to give thanks for the improving health of my great State of Maine.

Because we have cut taxes and regulations, our small businesses are growing and hiring more workers and paying them more. Maine's 2.7 percent unemployment is the lowest rate in 50 years.

We are rebuilding our military to keep our families safe, while supporting 6,000 shipbuilders at Bath Iron Works.

We have passed legislation that guts online human trafficking, which protects our daughters and our sons.

We have made the biggest financial commitment ever to combat the opioid epidemic, giving thousands of struggling Mainers hope for recovery and better lives.

Child poverty in Maine is dropping, while education is closer to home, where it belongs.

We have strengthened Social Security and Medicare so our seniors have more peace of mind.

Our veterans, our beloved veterans, are now able to receive their healthcare closer to home, and our small hospitals that provide those services must get paid on time; otherwise, interest accrues on the outstanding bills.

And Maine's pristine natural environment is living up to our brand: Vacationland. The way life should be.

Mr. Speaker, Maine families are doing better and better, and I am grateful to have the opportunity to help.

Merry Christmas and happy holidays to all, and may God always bless the United States of America and our great State of Maine.

□ 2015

RECOGNIZING LINDEN PUBLIC SCHOOLS CAROLING FOR A CAUSE

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to celebrate the students, faculty, staff, and friends of Linden Public Schools in New Jersey for spreading holiday cheer while helping those in need.

Each year, members of the Linden Public Schools load into buses with Santa Claus and travel through their town to sing carols and collect donations for a charity gift drive.

Staff and students put their hearts into planning the event, which they call Caroling for a Cause. This year, they collected more than 1,000 gifts from across the community. Those gifts will help bring smiles to the faces of more than 300 children.

Mr. Speaker, this is the season of giving, and the Linden Public Schools are leading by example.

I thank the students, faculty, and staff who participated. And I applaud Superintendent Danny Robertozzi for supporting Caroling for a Cause.

I ask my colleagues to join me in recognizing everyone who participated. They are helping make sure their friends and their neighbors in need have a Merry Christmas and happy holidays.

COMMENDING REPUBLICAN LEADERSHIP FOR LISTENING

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I commend our Republican leadership today for listening to our conference and putting back into the continued resolution the needed disaster relief for the southern States and for the West Coast, and the border security measure demanded by most Americans in this country.

To not do so, to just accept the product that the Senate punted over here, would have been a travesty and a dereliction of our duties here, I think, in the U.S. House of Representatives. These are very important things that need to be done and need to be accomplished, with the caravan amassing on our southern border and the security measures that, although heroically done so far by our Border Patrol folks, need to be augmented with this asset.

Heaven knows, our southern States, having been affected by hurricanes; and farmers depending on decisions to be made in this place; and, on the West Coast, with the fires in my own district, the stability needed from the funding that would come from a disaster relief package, I am really pleased to see the work of the House today put this back out there and send it over to the Senate, where I hope they will have the guts to actually deal with it.

DEMANDING VIETNAMESE GOVERNMENT RELEASE MICHAEL NGUYEN

The SPEAKER pro tempore (Mr. BERGMAN). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. AL GREEN) is recognized for half the time until 10 p.m. as the designee of the minority leader.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the leadership on both sides of the aisle for extending this opportunity for us to speak tonight. This is an important issue for all Americans.

I rise tonight on behalf of Mr. Michael Nguyen, an American citizen. Mr. Michael Nguyen, an American citizen who was on a mission of mercy to Vietnam and who is being detained in Vietnam.

I would ask that persons please not allow the last name Nguyen cause you to think anything other than the fact that he is an American citizen who makes America the beautiful a more beautiful America. He was on a mission of mercy.

He is being detained; being detained without the benefit of bail, something that we routinely expect to be the case in this country; being detained without the benefit of a lawyer, something that we are all entitled to under the Constitution in this country when charged with criminal offenses; being detained

without the benefit of a speedy trial, something that we take for granted; being detained in Vietnam, Mr. Speaker. This is something that every American ought to be concerned about, when we have one of our own being detained without the benefit of bail, without the benefit of a lawyer, and without the benefit of a speedy trial.

Mr. Nguyen is a resident of California's 45th District, and Mr. Nguyen is being represented by Mrs. WALTERS. Mrs. WALTERS is here tonight. I know that she has been engaged and involved in doing what she can to help extricate Mr. Nguyen from his circumstance.

Mr. Speaker, I yield to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise to demand the Vietnamese Government immediately release Michael Nguyen, an American citizen and Orange County resident who has been unjustly detained for over 5 months.

Michael is a loving husband and father of four, a small-business owner, and an active member of his community and church. He has no criminal record in the United States.

This summer, while visiting elderly relatives, Michael was arrested by the Vietnamese Government. He is under investigation for allegedly violating article 109 of the Vietnamese criminal code, activities against the government.

Article 109 is an arbitrary and vague charge the Vietnamese Government often uses to justify baseless arrests. Michael could be held for months without formal charges as the Vietnamese Government investigates.

Despite repeated requests by my office, the Vietnamese have yet to produce any evidence substantiating Michael's arrest.

These unjust actions are further exacerbated by the Vietnamese Government denying Michael's family's request to visit him while in prison.

During the investigation, the Vietnamese Government permits only monthly visits by the U.S. State Department. These visits are the only opportunity Michael has to hear messages from his loved ones.

Mr. Speaker, Michael's family has been devastated by this ordeal. I had the opportunity to meet with them again just this last week when I was back in Orange County, and I am here tonight on their behalf, to echo their calls for his safe return.

The Vietnamese Government has not only denied an innocent man his freedom, it has completely disrupted the lives of a loving wife, four young daughters, and countless friends and family members across the country who are praying for Michael's homecoming every single day.

Michael's wife, Helen, is a nurse who works long hours with many emergency on-call days. During Michael's absence, she has been a single mother to their four young daughters.

The girls miss their father dearly. His detainment has made it difficult for them to focus on their schoolwork and their extracurricular activities. These girls should not have to spend one more sleepless night worried about their father's safety.

Their entire family has demonstrated incredible strength during this ordeal. I am constantly inspired by their love and devotion to Michael.

Mr. Speaker, this unjust detainment has gone on far too long. Michael's detainment is only the most recent example of Vietnam's troubling human rights record and lack of transparent legal system. Earlier this year, the Vietnamese Government unjustly detained William Nguyen, an American citizen of no relation to Michael.

I am deeply concerned for Michael's safety and well-being, and I demand his release immediately. In the meantime, I call on the Vietnamese Government to allow Michael's family to visit him in prison.

Mr. Speaker, as you can imagine, this time of year is especially difficult for Michael and his family. While most families across our Nation will have the opportunity to spend time together celebrating Christmas, the Nguyen family will cope with Michael's absence. This Christmas, I pray for good news for the Nguyen family.

Michael's story has touched so many people. Several of my colleagues have heard of Michael's detainment and have joined in my fight to secure his release. I am grateful for their support and their willingness to join tonight's Special Order.

While I will not be returning to Congress next year, I am confident that my colleagues will continue the fight to bring Michael home. I am extremely grateful for my colleagues' engagement, and I will continue to support their efforts any way I can as a private citizen.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentlewoman for the extraordinary work that she has done to extricate Mr. Nguyen.

Mr. Speaker, I yield to the gentleman from California (Mr. CORREA), a person who came to Congress and has done an outstanding, great job since he has been here. I don't know whether he came to be a freedom fighter, but that is how I know him. He really takes a stand against injustice.

Mr. CORREA. Mr. Speaker, today, I rise to address this body, and I demand that the Government of Vietnam respect human rights, religious freedom, and international law as it pertains to an American citizen, Michael Nguyen, who is being held without formal charges, under arrest in Vietnam.

This unjust imprisonment raises issues, especially since he has never broken the law in the United States. He is a loving father, member of the local church, business owner, and model American citizen.

Yet, when he was traveling to Vietnam to visit his elderly relatives, he was arrested. Why? We don't know. Apparently, he has been arrested for ''activity against the people's government,'' yet we don't know the circumstances or the reasoning.

We ask one very simple thing from the Government of Vietnam: to play by the rules, respect human rights, respect religious freedom, and release Mr. Michael Nguyen, an American citizen who is being detained without formal charges.

Mr. Speaker, I urge that he be safely released and that he be returned to his family in the United States.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentleman for his powerful words and look forward to our continuing to work together to extricate Mr. Nguyen.

Mr. Speaker, I yield to the gentleman from Florida (Mr. YOHO), another Member who has been involved and engaged in this process, who has been with us on phone calls when we have talked to our Ambassador to Vietnam, and who has been a party to our contacting the Secretary of State.

Mr. YOHO. Mr. Speaker, I thank the gentleman from Texas (Mr. AL GREEN) for organizing this Special Order.

It is an honor to be here to advocate on behalf of one of America's citizens. I have the honor of chairing the Asia and the Pacific Subcommittee on Foreign Affairs. I have been to Vietnam, and I got to meet with their Prime Minister, with their ambassadors, and with so many people over there.

The Vietnamese people are a wonderful people. They have a society that is a communist society, but it is opening up. Vietnam has made great strides in the last 15 to 20 years, moving in the direction that we would like to see, with an open society, free markets, as much as they can be in a communist country.

When I was there, the thing that surprised me was the vibrancy of the people, their outlook on life. They yearn for freedom and liberties, just like all people do. That is an innate thing that our creator has endowed all of us with, that yearning of freedom and liberty.

I became aware of Michael Nguyen's plight. We have intervened on phone calls. We have written letters. We have talked to the incoming chair of ASEAN. We just asked them; I am not going to demand. I am not going to try to have a power game against Vietnam. But what I do want to do is just talk to them, human to human.

We have an individual who left Vietnam, adopted America, and become an American citizen.

□ 2030

He has been a model citizen. He is the parent of four children, a family man, a businessman, and he went over to Vietnam with the intent of visiting relatives, elderly relatives, and he got caught up in a situation.

We talked to the Ambassador. We talked to people in the legislature from Vietnam and said: I don't want to

interfere in Vietnam law, and, certainly, if this guy is involved in what you are saying, by all means, prosecute to the fullest extent of the law because we would do the same thing.

But I think what you have here is a case where a person was caught up in something. If you look at his past here and his record here and the people we have talked to in Vietnam, this is a good man. This is a family man that went over there for honorable reasons. And so we asked the people of Vietnam to look into this matter and to address this and do what is right, do the humanly right thing.

If you are a parent, if you are married, you have got a mother and father. You have got a spouse. Think of your children. If you were to be removed from your family with no phone calls, no lawyer—and these are things that we value in this country, the liberties and freedoms that we have, that we have had and we have been fighting for over 200 years to preserve and protect. To have that taken away from you is just unthinkable.

I know the pain and the suffering that not just Michael Nguyen, but his family is going through. Here we are in the Christmas season, and this is the season that we should all come together.

I am asking Vietnam, the leaders of Vietnam to look into this case and to rapidly go through it as fast as we can. Because, like I said in the beginning, we value our relationship. They are our 16th largest trading partner. We have a military agreement where they have allowed our military vessels in there for other reasons for national security.

This is something that we want to make sure that our relationship with Vietnam continues to grow. But I can say this: If human rights issues get in, as Mr. GREEN brought up, this is one of our own American citizens. If Vietnam overlooks these things, it is going to be hard for us as a nation to move forward with them in relationships.

So I am going to plead with the Vietnamese leadership to expedite the case of Michael Nguyen and to do what is right. Return him back to America. Return him back to his family, and let's try to do that before the end of the year.

I appreciate Mr. GREEN for doing what he has done. He has done a stellar job. And I appreciate all of the Members who have stood up for such people. These are things that happen in Congress that the American people don't know we do, that they should applaud both sides. This is not a partisan issue. This is an American issue that we all should be proud of that we are fighting for somebody who is an American citizen.

I know Vietnam, if they are listening, and I am sure they are, they will do the right thing, and the right thing is to return Michael.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentleman for his comments, and I want to reiterate what he said about this being a bipartisan issue.

This is an issue that crosses the lines that sometimes divide us. There is no chasm between us when it comes to the extrication of Mr. Nguyen. We want him back.

I would like to call to the attention of all who are within the sound of my voice, who are viewing this at home, that there is another Member who is not here tonight but who has played a significant role in this effort to bring Mr. Nguyen home. He is Mr. ALAN LOWENTHAL. Mr. LOWENTHAL is from California's 47th Congressional District, and he has been a real champion on causes such as this.

He understands the laws of Vietnam. He understands the culture of Vietnam as well as any, and he has really had a major push to try to get Michael home. I want to thank the gentleman from California (Mr. LOWENTHAL) for what he has done. While he is not here physically, I do know that he is here in spirit.

What has been said about Michael's detention is correct. Michael is being detained without bail, as has been indicated previously. In Vietnam, unfortunately, the investigation can go on for weeks, months, and can exceed a year.

When investigations go on for this length of time and the person being detained does not have the opportunity to visit with family members, is denied access to family members during holiday seasons, such as what is occurring here now in our country, when a person is detained without the benefit of bail, without the benefit of speedy trial, when this happens, unfortunately, the detention itself becomes punishment. The detention itself becomes egregious. The detention itself becomes reason for us to complain to the Government of Vietnam.

If you have charges, yes, you should investigate, but you should file your charges. You should not detain and then at some point have some charges brought that may or may not necessitate a long period of additional detention.

This is an American citizen. We have expectations. We believe that every country has a right to its autonomy, every country is sovereign unto itself. But we also believe that every country should respect the human rights and dignity of people who are within the confines of their country.

Mr. Nguyen has a necessity to be with his family and his four young children. They miss him. They want to be with him. This is their father who is expected to be at home, especially around this time of year when we are all celebrating the holidays, many different holidays, but they are celebrated in this country.

We are making an appeal, a human cry, a clarion call to the Government of Vietnam to release this husband, release this father, release this man who has been on missions of mercy to Vietnam to work with his wife as a volunteer when they are helping young children to receive surgery.

He has demonstrated his love for the people of Vietnam. He has demonstrated his willingness to go above and beyond, to be of service to the people of Vietnam, and I ask that the Government of Vietnam release him. Let him come home. If you have charges, sure, you should file them; but if not, let's not allow the investigation to become a form of punishment.

Mr. Speaker, I want to thank all of the Members who have appeared on the floor tonight. There are others who would be here, but circumstances do not permit.

I want to thank the leadership for allowing us to get this message out to the masses, to the American people, and, hopefully, to officials in Vietnam.

I want to thank the Secretary of State and our Ambassador to Vietnam for their intervention. We are all doing as much as we can, but we all have to do more. Until he comes home, we have not done enough.

Mr. Speaker, I yield back the balance of my time.

RECOGNIZING SPECIAL CONSTITUENTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentlewoman from New York (Ms. TENNEY) is recognized for 60 minutes as the designee of the majority leader.

Ms. TENNEY. Mr. Speaker, I rise today to recognize a few special constituents in my region who deserve recognition.

HONORING THE LIFE OF BILL CHANATRY

Ms. TENNEY. Mr. Speaker, this past October, the Mohawk Valley lost a local businessman, leader, and a dear friend when Bill Chanatry, owner of Chanatry's Hometown Market in Utica, New York, passed away at the age of 89.

Bill was raised in Utica and graduated from the highly acclaimed Rensselaer Polytechnic Institute—many of you known as RPI—and enjoyed a 40-year career as an engineer, eventually serving in the Army Corps of Engineers in Japan during the Korean war; and later he joined General Electric Aerospace Electronics Division, where he served as a project manager for the U.S. Navy E–2C Surveillance Radar Team in Utica, New York.

Chanatry's, the family grocery store, was founded in 1912 by Bill's father and his two uncles. In 1991, Bill eventually retired from General Electric, GE, and became the president of Chanatry's and oversaw a significant expansion and innovation, using his unique skills in engineering to really bring Chanatry's into the forefront and to maintain it as a family, home-owned business catering to the needs of families in our community.

But along with all of these lifelong achievements that Bill had, Bill's legacy is better defined by his terrific family: his loving wife, Janet; five children, Ameena, Joanne, Michael, Bob,

and Mark; and, of course, all of their children, grandchildren, and many great-grandchildren as well.

The strong personal relationships that Bill cultivated with so many people in our community are thanks to his integrity, his loyalty, his ultimate belief in the goodness of humankind. Much of the love that he had came from his very strong devotion to faith. He also was known to attend daily mass.

He also was such a good friend to so many as he worked in his post-retirement, in his post-GE life, retirement life at Chanatry.

Bill's son, Mark, a long-time friend of mine, dear friend, stated that his father's greatest lesson to him when it came to rebuilding the number one grocery store in Utica year after year is simply: ''Chanatry's business was built on treating people right.'' And that was Bill's message. Mark and his family continue that great legacy left by their father, Bill.

For anyone who has been to Chanatry's, it is really hard to imagine walking through the market and not seeing Bill attending to every aspect of the business, taking the time to talk to individuals, to help consumers and people coming in and individual customers, which is something that he did every single day. It was a big part of his life.

He was also just hard to miss. He was full of energy, full of excitement, a lot of fun to be around. Our community will dearly miss Bill Chanatry, and especially his friends, his family, and his customers.

Mr. Speaker, our entire community really lost a true leader in Bill Chanatry, someone who was always able to innovate and actually reinvent himself, and someone who—I think what is most important—actually made a difference.

HONORING THE LIFE OF JAMES VANSLYKE

Ms. TENNEY. Mr. Speaker, next, I would like to recognize another really terrific person, a dear friend of my family. I would like to honor the incredible life of a man named James VanSlyke of New Hartford, New York.

Jim VanSlyke passed away on June 6, 2018, 1 day before his 89th birthday. He is survived by his loving wife of 62 years, Virginia, whom we all know as Ginny; his children, Matt, Patrice, Andy, and Mary; his grandchildren, great-grandchildren; and nieces and nephews.

Hailing from Hamilton, New York, Jim stayed in his hometown after high school, attending Colgate University, also in Hamilton. He received a full academic scholarship and graduated in 1952 with a master's degree in science.

My mother's hometown also happens to be Hamilton, where she and Jim attended high school together. At Colgate, Jim also met my father, who was a college classmate of his.

Immediately following Jim's graduation from Colgate, Jim went on to serve in the United States Army. After honorably serving our Nation, Jim continued his lifelong journey of service and moved back to Mohawk Valley, where he dedicated 66 years of his life in the town of New Hartford.

Upon his return, James began his 31-year career in New Hartford School District, serving as a math and science teacher, a coach, a guidance counselor, and a principal for both the junior high and senior high school.

I had a the honor of attending New Hartford High School during his tenure as principal. Back to Mr. VanSlyke, as I always called him. He was respected, sometimes feared, but always a person with common sense and someone who could be relied on for sage advice for many high school students, including me.

Later in his life, Jim ventured into another form of public service, where he served seven terms as the town and village justice for the town of New Hartford.

Jim was regarded as a knowledgeable, fair, and hardworking man, always making sure that he knew each aspect of the law relevant to the case at hand.

□ 2045

If Jim didn't know the answer to something, he was quick to admit it and also quick to find the answer. He was willing always to listen to another's perspective, including other attorneys. His intelligence was self-evident but humbly portrayed.

As an attorney, I appeared before Jim on many occasions in court. He always asked me about my family, and especially my mother's sister, whom he was quite fond of, my Aunt Polly, who was also a classmate at Hamilton High School.

Jim was also a very talented high school athlete and a college athlete, as I learned from my mother kind of the hard way. I am always going to remember, there was an article written by someone I actually went to Colgate with, I believe, and it was in Sports Illustrated. It described Jim's famous son, who is a professional baseball player and also my classmate in high school. He used to sit right behind me, a baseball player named Andy Van Slyke, who many know, who also later became a coach. I remember the article described Jim Van Slyke and Andy as coming from a family with no athletic talent, to which my mother immediately said:

He was the star of Hamilton High School in every sport, and he went on to Colgate to be a star as well.

Though Jim never served as a professional athlete like his son, Andy, Jim was a star in all of our minds. He was a terrific person, a great educator, and later in life found a passion for cooking. His culinary skills provided another way to express his deep love for his family by bringing them together at the dining room table.

Mr. Speaker, please join me in recognizing the life of one of New Hartford's greatest educators, Jim Van Slyke. Our community will forever remember the life and legacy of Jim Van Slyke. We will also remember Jim's sense of humor and his kind and humble manner in every aspect of his life.

EXPRESSING GRATITUDE TO CONSTITUENTS, MEMBERS, SUPPORTERS, FAMILY, AND STAFF

Ms. TENNEY. Mr. Speaker, I now want to just say a few words about my term in the 115th Congress and what an honor and a privilege it has been for me to serve.

I want to first thank my constituents who have been terrific. I have really enjoyed my time with them, serving them, and working very hard every day to try to find results—actually excellent results—in the 115th Congress. I think we have reached some unprecedented levels in our last 2 years.

I also want to thank my supporters. They were terrific, a lot of fun. It was a great time, a lot of hard work, a lot of anguish, and a lot of frustration. But through it all, they were very tough and hung in there in spite of our loss this past November.

A lot of my volunteers, also among the supporters, were terrific. I want to thank them for so much work, so many phone calls, and just a great opportunity to serve with them.

I also want to thank a lot of the people in our community who serve in social service agencies who have done so much to help the truly neediest people in our communities. I am grateful that they reached out to me and I was able to give back to them and provide much-needed resources on the Federal level. I really appreciate their good counsel and care and what they provided to me and my staff in making sure that we were able to understand the issues and bring those issues back to Washington and deliver to our constituents.

I wanted to also thank the local officials in my district throughout the community who have been an invaluable resource for bringing issues to the table that needed to be resolved and their hard work, their belief in me and some of the amazing accomplishments we had throughout the eight-county region and to the many towns and villages, it was really an honor to serve.

Some of the resources we brought back to the city were tremendous. So I want to thank them for their sage advice, their counsel, and their good friendship. I hope that we can continue to provide solutions and realize good things for them in the future.

Also I thank my friends and my family who have been through a lot in my rather short time in public service. It has been very exciting and filled with a lot of ups and downs, but a lot of challenges. I am just grateful for them to kind of hang in there with me through all of this.

I stand here today as a Member of the 115th Congress. I also served three terms in the New York State Assembly. I have been a lifelong Republican. I never missed a vote since I was 18.

Oddly enough, I have never been endorsed by my local Republican committee for any office I ever sought until this year. So maybe it is bad luck in the end. But I wanted to just say thank you to so many of the rank and file and people who serve in this capacity in both sides, in all parties, in what they bring to the table and how important it is to our constitutional Republic and democratic principles. I want to just say I am grateful to them.

Toward that, I also want to just say thank you, especially to my colleagues. You hear so many terrible things about Congress, and I myself thought: What is wrong with these people here?

But I have gotten here and realize there really are terrific people who care about this country. They care about their constituents, they care about preserving our constitutional Republic, they care about democratic principles, they care about serving mankind, and they recognize the importance of where we are in the world. I say that about people I have met genuinely on both sides of the aisle, there are really terrific people who serve in this office. I may not agree with everything that they have to say, but they have been really terrific to me.

I especially want to thank my freshman class. They have changed my life in so many ways. It has been such an honor, including, Mr. Speaker, a couple of my favorite colleagues here, but I wanted to say that I really appreciate the fact that our freshman class, the incoming class for the 115th Congress, took a very special measure. It was spearheaded by my colleague, Congressman MIKE JOHNSON. We signed a commitment to civility; something that I thought was a really great idea, a terrific idea, something that really meant a lot to us who have signed on to this. We have endeavored to stick to that commitment to civility. I know I have.

Among some of the pledges we made was to introduce legislation and make every effort to make sure it was bipartisan. I am honored to say that every piece of legislation that I authored, unless it was district specific, was cosponsored by one of my Democratic colleagues, and I always wanted to get one of my freshman class members when I could. So I am grateful to all the Democrats and the Republicans, everyone who signed that commitment and came forward to try to work on resolutions to stand together and to really work to get to know each other.

I think we did make a difference. Unfortunately, it isn't sound-bite worthy. The media didn't really cover it. But I think it is something people should really look at that makes our class so unique and why we accomplished so much this first term.

I really want to just say thank you all to my family. My family has been terrific. They stood through a lot. It was very hard for my family to go through the political process, as ugly as it has become, which is why that commitment to civility is so important and why I was so dedicated to it.

It is okay to advance your cause, to argue, and to disagree. I am a lawyer. That is a natural instinct, and that is good. But to make sure in the end that we don't hold grudges, that we stand for each other and respect each other when we walk away, and I think our freshman class showed that this year. I am honored and proud to be part of that.

I am not done, but I think that my colleague from Texas (Mr. ARRINGTON) would like to say a few words.

Mr. Speaker, I yield to Mr. ARRINGTON.

Mr. ARRINGTON. Mr. Speaker, I want to thank the gentlelady from New York—and let me say the gentlelady from New York has served these United States so admirably and so effectively and with such dignity and honor. Gentle because she has a big heart soft for this country. She mentioned the civility and the commitment to civil discourse. She was part of leading that effort and leading by example. A gentlelady, she was class every day and in every way in her term in serving the people of New York in her district. Gentlelady from New York, she is a New Yorker, and I am a Texan. The only folk I know who may rival Texas in toughness are New Yorkers. She is tough, she is strong, she is passionate, and she fought every day for her constituents and for this country she loves.

So I just wanted to say that it has been an honor and a privilege to serve with CLAUDIA TENNEY, United States Representative, CLAUDIA TENNEY.

I am a better person, I am a better servant leader, and I am a better Representative of my people in west Texas because of the time I spent with you. So I know your folks back home are proud, your freshman class—and I will say this on behalf of our freshman class, and I can say it with confidence—you make us proud. We are going to miss you, but I know we haven't seen the last of you and your service to this country.

Ms. TENNEY. Thank you so much Representative ARRINGTON. You are terrific.

I might add something about the commitment to civility and why it really reflects who you are also and why it was such an honor to serve with you. I remember all of us having the discussion, the freshman class, with the Democrats. We were at one of our social events, and you were just always the consummate ''let's get along, let's be ladies and gentlemen, let's work together. We have got to do this, because in the end the tables are going to turn. You are going to be in power, and we are not, or you are going to be in the majority, and let's just not look at that. Let's go beyond that.''

I still remember those conversations with you. You are a terrific Member. You served honorably. You have a wonderful family. I really am grateful for your friendship and your support.

None of these friendships end here. This is an amazing 2 years in this 115th Congress. I think it was really special. Maybe everybody feels that way when they go to Congress, but I think our group was really different, and I am including the Democrats in that as well.

We had a great group, and as we move into 116—I am sorry I am not going to be joining you all—but let's keep on the tradition of what we have done. Let's stay together and continue to work to protect our constitutional Republic.

I am a huge Lincoln fan, and I have said this many times, certainly in my community, but I look back on some of the tough times that we are facing ahead, and I remember what Lincoln said at one point. I would say the enduring message from his body of work was: Can we save this Republic? Can we save it? Can we be self-governing?

We can, but we have to work together. We have to fight the fight. We have to stand on our principles and find a way to compromise in the end. I feel like that is what we have done with so many great bills and so many accomplishments. If you look at what happened in the 115th—and I think we can all take credit for this across the board—the accomplishments are something that we haven't seen in decades in Congress. In just one Congress all of our agenda was passed and done, and much of it was bipartisan. I wish it all were, but maybe as we go into the 116th we can make that happen as well.

But I just want to say thank you so much to you and all my colleagues who served with me, whether they are in the freshman class or not, I love you guys. You have been terrific. My life has changed, and my life is better because of my service here and meeting all of you and finding out, yes, there are really good people who serve this Nation, and they are here in Congress—not everybody. But there are a lot of us out there.

I am so proud and honored to have been serving here for 2 years and to have met the people I met, whether they are in Congress, whether they are the great staff or the people who work here, the people behind me who we keep up at late hours to do their job, but it has really been an honor. I want to say thank you so much to you.

One last thing, I do want to say thank you to—first of all, I want to thank again the chairman of my committee, the Honorable JEB HENSARLING—who is retiring—for his terrific service and great work and what an honor it was to serve on the Financial Services Committee.

Also to the staff of the Financial Services Committee, I want to say thank you. They were terrific, and they helped us every day come up with an incredible agenda and very bipartisan work. I am grateful to them to have had a number of bills that were originally sponsored by me that either

were included in other bills, the S. 2155, or others, and for their help in getting those across the finish line and having five original sponsored bills that ultimately became law.

So I want to say thank you to them.

I also want to say thank you, last but not least, to my hardworking staff. First of all, I put them in alphabetical order so you don't know who is better than the other, but I want to say I loved having them on my staff. They did a tremendous job.

Let me just say a hearty thank you to my staffers, Hannah Andrews, Alexandra Cade, Haim Engelman, George Iverson, Maria Giurastante—I can never say Maria's name—Kate Kelly brought me to New Orleans my first time, Samantha LaMarca who was with me from the times in the assembly, Rebecca Lumsden, Patrick O'Brien, Nick Stewart, Robert Simpson, Michael Stademeier, Kathy Vences, Brett Wakeman, and Katie Ziemba.

I want to thank so many terrific interns who joined us and inspired us every single day with their excitement, their youth, their enthusiasm, and the fact that they were all so much more technically proficient than I was, so I could just hand them my phone with trust that they could fix whatever it was that was wrong with it. I want to say thank you to them for the hard work and the hours that you put in throughout the last 2 years.

It wasn't easy. We were in a tough position, whether it was the media, whether it was just the position we were in as a targeted seat in the Nation. But you came through. We did terrific work. We made groundbreaking strides in our community.

I want to say from the bottom of my heart, thank you to all of you for what you have done and what you have done to serve us and serve my community and always have a servant's heart as you dealt with all the constituents and the literally, I don't know if it is thousands, but every time one of my constituents contacted me directly and I got to the message, I copied, I pasted, and I sent it to you, and you reacted and helped the constituent out.

□ 2100

I really am grateful to all of you for doing that because I love the job that I do. I love serving. I love doing this kind of work to help people. For the first time, I really felt like we got to help people in the last 2 years.

Again, I want to say the last thank you to my family members: my son and my parents. My parents, who passed away, never got to know that I actually got here. I just want to say thank you to them for instilling in me the integrity, the loyalty to people and the compassion for fellow human beings and for helping this world, and also for the tenacity that I got from my mother, who was really my inspiration.

I want to just say one of my favorite quotes that my dad used to always say when I used to be in all the sports I attended, whether it was curling—yes, I am a curler—whether it was basketball, horse shows, equestrian—I did that as well—golf and a lot of sports I got into, my father would quote, when I was disappointed that I didn't win, from Rudyard Kipling's poem ''If.'' I am just going to pick out part of it. ''If you can meet with Triumph and Disaster and treat those two imposters just the same,'' and the poem goes on. But that is exactly what it is. It isn't about winning and losing. It is about how you play the game. We did a great job.

I want to say thank you, lastly, to my son, who has been my inspiration. I am hoping that I get to see him at Christmas, but I am not sure I will, because he is currently serving as a captain in the Marine Corps. So we are very proud of him in our family for answering the call to serve.

But I do want to say thank you so much again to everyone who has been so kind to me. Whether it is Pat and Doris, the ladies in the Lindy Boggs Room, everyone who is working here, it is really a highly professional operation. You hear terrible things about Congress, but it is not true. There are a lot of terrific people that work here that aren't just Members. They are the people who keep the trains running on time, the people who make this happen.

I just want to say thank you again for letting me have this tremendous honor to do what I have done for the last 2 years. I wish everyone the best of luck and God bless.

Mr. Speaker, I yield back the balance of my time.

STANDING WITH THE PRESIDENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. ARRINGTON) for the remainder of the hour.

Mr. ARRINGTON. Mr. Speaker, I wanted to address this body and commend my Republican colleagues for standing with this President.

We are facing a national security crisis on our own homeland, at our borders, and our Commander in Chief has pleaded with us for the resources and tools necessary to secure the border and to protect the American people.

The President understands his first job and the first job of the Federal Government, which is to keep its citizens safe. He understands and I believe most Americans understand that the current situation is anything but safe.

Mr. Speaker, I am from the great State of Texas. Being a State along the border, I can tell you it is absolutely chaotic. This President has been hamstrung and for too long we have let people pour into this country illegally and we have allowed criminals and gang members and criminal activity and drugs. A lot of bad stuff comes over here and wreaks havoc on our communities on account of us being derelict in our duty to do our first job to provide for the common defense.

So, Mr. Speaker, this President has come along at such a time as this—a strong man, a strong leader, who ran on an agenda to put America first and the American people first. That is exactly what he has done. I have never seen a politician more hell-bent, more doggedly committed to delivering on what he promised.

At the center of those promises and that agenda that he ran on was securing the border and building the wall. I am one who believes that comprehensive border security is more than a wall. I believe it is technology. I believe it is boots on the ground. It is a number of things.

If we are going to truly be effective in the long run, we have got to fight this battle on a number of fronts. I believe that the driver of illegal immigration is supply and demand. As long as we have demand in this world for a better life and for the job opportunity and the services that we provide in this country, and as long as we provide the supply of jobs and services to folks who come here illegally, they will continue to come.

I do believe that, no matter how high you build a wall, or how long, you have got to turn off the magnets that are drawing people here. Chief among them are hiring people who are not in this country legally. I welcome the freedom-loving, law-abiding immigrant. This is a Nation of immigrants. But I will only welcome them if and when they respect our laws, our sovereignty, and the safety of our citizens.

We have a process. It is not perfect. We should work on it. We should improve it. But we have a process by which you can legally enter this country, and a million people do that every year. Millions more are standing in line to get a piece of this incredible land of opportunity and all the blessings of liberty that this country offers.

So, understand this. The American story and the story of the immigrant are indistinguishable, inseparable. I am proud that we are the leading Nation in terms of immigration and welcoming the immigrant and that we continue to circulate the new blood of those who are hungry for freedom and opportunity into the system, into this country's bloodstream. It is part of the greatness of America, no doubt.

But we are also a Nation of laws. As the President has said, without borders, you don't have a country. Without security, you don't have freedom. So we must uphold the laws of the land. We must fix the broken pieces of the immigration system. We must close the loopholes. We must turn off the magnets. And, yes, we must build a wall, a fence, and whatever physical barriers make sense. That physical barrier, that wall, that fence is a fundamental component of comprehensive border security.

Most of my colleagues on the other side of the aisle have already voted to

provide resources: $1.6 billion in the last budget. The leader of the Senate Democrats, CHUCK SCHUMER, has voted for 700 miles of fencing along the border. So he, too, has committed and understands and appreciates the need for physical barriers along the border where they make sense.

I think we are long overdue to put some common sense in this United States Congress. I am proud that my colleagues, again, on the House side, my Republican colleagues, have continued to drive the agenda of America first and keeping America safe as the first and foremost responsibility of this Federal Government all the way to the end of this 115th Congress.

Today was a proud day for me to come alongside of my colleagues and this President and vote for the funding that he has requested for that fundamental component of border security in the wall. I am proud to have done that. I am grateful that we have a leadership that listened. This morning, we had a wonderful meeting. It was wonderful because the leadership listened. Our majority leader, KEVIN MCCARTHY; our whip, STEVE SCALISE, our outgoing Speaker, PAUL RYAN, listened and allowed the Members to drive the strategy and the decision today to put that funding bill on the floor, to vote for it, and send it over to the Senate. That is our job.

I am proud of my colleagues' passionate and very compelling pleas to the leadership and to our team to make that vote happen today. Today is a great day for America's security. It is a great day for border States. It is a great day for the citizens who expect their government to do its first job.

Mr. Speaker, again, I am grateful for the opportunity to have served in this 115th Congress with the likes of JACK BERGMAN, Representative CLAUDIA TENNEY, and so many more. I am proud of our freshmen class for restoring civility, the theme of our class with our Democratic colleagues, and I am proud of all the results.

In west Texas, leadership, at the end of the day, is about results. If you don't deliver results, you cannot claim to be a leader. Whether it was rebuilding military or unleashing the full potential of this economy through tax reform and regulatory relief or improving services to our veterans or it was defending our fundamental God-given rights, the rule of law, the Constitution, and traditional American values, we have done what we said we would do in this House as Republicans, as conservatives, and as Americans first. I am proud of that.

God bless these United States of America, my colleagues, and go west Texas.

Mr. Speaker, I yield to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, I want to say thank you, again, to my colleague, JODEY ARRINGTON, of west Texas, for his terrific remarks. Yes, we did accomplish basically everything we set out to do in the 115th Congress.

I would be remiss if I didn't mention one more thing that Mr. ARRINGTON just referenced, the gentleman from Texas, is that every one of us contributed in the freshmen class to perpetuating and finding a new part of our commitment to civility.

I just wanted to mention our colleague from Florida, Mr. CHARLIE CRIST, who actually came up with these nice bands that so many of us wear. It says: Practice the Golden Rule. It is emblematic. We wear them because we are endeavoring to meet our pledge for our commitment to civility.

I hope that you all and Congressman CRIST and everyone continues on this great path next year, including both sides of the aisle. I hope everybody works on their commitment to civility.

But I want to say thank you again to my colleagues, also to our Speaker pro tempore, the great president of our class, the amazing General JACK BERGMAN, who is now a Member of Congress representing Michigan. I am really honored to be among some of the great people that serve here. I want people to rest assured there are good people in Congress. There really are.

Mr. ARRINGTON. Mr. Speaker, I thank the gentlewoman from New York. Again, we salute her service and we are so proud to have served with her, if only for one term. But, again, this is not the last that we have seen of the gentlewoman and her service to this great country. We will certainly carry on our friendship for years and years to come.

What a special bond our classmates have, and what a unique privilege our constituents and people back home have given us.

And I know the gentlewoman cherishes that. I know she has stewarded that. I wish they could see the gentlewoman every day, because they are already proud, but they don't know the half of it.

So God bless CLAUDIA TENNEY and all the new ventures that she will undertake in the weeks, months, and years to come.

Mr. Speaker, I yield back the balance of my time.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 767. An act to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

H.R. 1162. An act to direct the Secretary of Veterans Affairs to carry out a pilot program to provide access to magnetic EEG/EKG-guided resonance therapy to veterans.

H.R. 1210. An act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the ''Pleasanton Veterans Post Office''.

H.R. 1211. An act to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the ''Encinal Veterans Post Office''.

H.R. 1222. An act to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

H.R. 1733. An act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the refining of used lubricating oil.

H.R. 1850. An act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the ''Donna Sauers Besko Post Office''.

H.R. 3184. An act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the ''Captain Humayun Khan Post Office''.

H.R. 3383. An act to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the ''M.S. 'Mitch' Mitchell Floodway''.

H.R. 4227. An act to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

H.R. 4326. An act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the ''Sgt. Josh Rodgers Post Office''.

H.R. 4819. An act to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 5075. An act to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

H.R. 5205. An act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the ''Sergeant Kenneth Eric Bostic Post Office''.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the ''Staff Sergeant Alexandria Gleason-Morrow Post Office Building''.

H.R. 5412. An act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the ''Army Specialist Jose L. Ruiz Post Office Building''.

H.R. 5475. An act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the ''SO2 Navy SEAL Adam Olin Smith Post Office''.

H.R. 5509. An act to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

H.R. 5787. An act to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes.

H.R. 5791. An act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the ''Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building''.

H.R. 5792. An act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ''Detective Heath McDonald Gumm Post Office''.

H.R. 5923. An act to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes.

H.R. 6020. An act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the ''Sergeant Donald Burgett Post Office Building''.

H.R. 6059. An act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the ''Thomas P. Costin, Jr. Post Office Building''.

H.R. 6167. An act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the ''James William Robinson Jr. Memorial Post Office Building''.

H.R. 6216. An act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the ''Sergeant David Kinterknecht Post Office''.

H.R. 6217. An act to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the ''Deputy Sheriff Derek Geer Post Office Building''.

H.R. 6227. An act to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

H.R. 6335. An act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the ''Oakville Veterans Memorial Post Office''.

H.R. 6347. An act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6348. An act to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6400. An act to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

H.R. 6405. An act to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the ''Lance Corporal Juana Navarro Arellano Post Office Building''.

H.R. 6428. An act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the ''Frank Leone Post Office''.

H.R. 6513. An act to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the ''Judge James E. Horton, Jr. Post Office Building''.

H.R. 6591. An act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the ''Napoleon 'Nap' Ford Post Office Building''.

H.R. 6615. An act to reauthorize the Traumatic Brain Injury program.

H.R. 6621. An act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the ''Major Homer L. Pease Post Office''.

H.R. 6628. An act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the ''James Marshall 'Jimi' Hendrix Post Office Building''.

H.R. 6655. An act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the ''Janet Lucille Oilar Post Office''.

H.R. 6780. An act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the ''Major Andreas O'Keeffe Post Office Building''.

H.R. 6831. An act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the ''Patrick E. Mahany, Jr., Post Office Building''.

H.R. 6893. An act to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2020, and for other purposes.

H.R. 6930. An act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the ''Ross Bouyea Post Office Building''.

H.R. 7120. An act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

H.R. 7230. An act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the ''Postmaster Frazier B. Baker Post Office''.

H.R. 7243. An act to amend Public Law 115–217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 756. An act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

ADJOURNMENT

Mr. ARRINGTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Friday, December 21, 2018, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7216. A letter from the Attorney-Advisor, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold (RIN: 3170-AA91) received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7217. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rules — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold [Docket No.: OCC-2018-0031] (RIN: 1557-AE53) received December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7218. A letter from the Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standards for Cigarette Lighters; Adjusted Customs Value for Cigarette Lighters received December 12, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7219. A letter from the Assistant General Counsel, Regulatory Affairs Division, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Revisions to Safety Standard for Infant Bath Tubs [Docket No.: CPSC-2015-0019] received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7220. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — List of Drug Products That Have Been Withdrawn or Removed From the Market for Reasons of Safety or Effectiveness [Docket No.: FDA-2016-N-2462] (RIN: 0910-AH35) received December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7221. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG114) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7222. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XG357) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7223. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish [Docket No.: 120404257-3325-02] (RIN: 0648-XF971) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7224. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's modification of fishing seasons — Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions #2 through #11 [Docket No.: 170831849-8404-01] (RIN: 0648-XG337) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7225. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2017-18 Biennial

Specifications and Management Measures; Inseason Adjustments [Docket No.: 160808696-7010-02] (RIN: 0648-BH86) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7226. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Northeast Skate Complex; Inseason Adjustment to the Skate Wing Possession Limit [Docket No.: 170710645-8098-02] (RIN: 0648-XG162) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7227. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG370) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7228. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Pacific Island Fisheries; Closure of 2018 Hawaii Shallow-Set Longline Fishery; Court Order [Docket No.: 120416010-2476-01] RIN: 0648-XG160) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7229. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Restrictions on Fishing for Sharks in the Eastern Pacific Ocean [Docket No.: 170712657-7999-02] (RIN: 0648-BG85) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7230. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of the Penaeid Shrimp Fishery Off South Carolina [Docket No.: 120919470-3513-02] (RIN: 0648-XG294) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7231. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG379) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7232. A letter from the Deputy Assistant Administrator for Regulatory Affairs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2017; Emergency Removal of Southern Windowpane Accountability Measures [Docket No.: 170808738-7777-01] (RIN: 0648-BH11) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7233. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic Region; Amendment 37 [Docket No.: 160906822-7547-02] (RIN: 0648-BG33) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7234. A letter from the Deputy Assistant Administrator for Regulatory Affairs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Temporary Rule To Establish Management Measures for the Limited Harvest and Possession of South Atlantic Red Snapper in 2017 [Docket No.: 170803719-7719-01] (RIN: 0648-BH10) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7235. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Ruling: 2018 Base Period T-Bill Rate (Rev. Rul. 2018-31) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7236. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Removal of Alternate Participant Program [Docket No.: SSA-2017-0071] (RIN: 0960-AI24) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2425. A bill to support the establishment and improvement of communications sites on or adjacent to Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture through the retention and use of rental fees associated with such sites, and for other purposes; with an amendment (Rept. 115–1086, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3535. A bill to restore Federal recognition to the Ruffey Rancheria of California, and for other purposes; with an amendment (Rept. 115–1087). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6510. A bill to establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes; with an amendment (Rept. 115–1088, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6255. A bill to amend title 18, United States Code, to establish measures to combat invasive lionfish, and for other purposes (Rept. 115–1089, Pt. 1). Ordered to be printed.

Mr. COLE: Committee on Rules. House Resolution 1183. Resolution providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes (Rept. 115–1090). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 502. A bill to permanently reauthorize the Land and Water Conservation Fund; with an amendment (Rept. 115–1091). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6939. A bill to protect and ensure multiple use and public access to public lands in Wyoming per the request of the respective counties, and for other purposes (Rept. 115–1092). Referred to the Committee of the Whole House on the state of the Union.

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Elizabeth Esty (Rept. 115–1093). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 6510 referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILLS

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2425. Referral to the Committee on Agriculture extended for a period ending not later than December 28, 2018.

H.R. 6510. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 28, 2018.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DAVIDSON (for himself and Mr. SOTO):

H.R. 7356. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to exclude digital tokens from the definition of a security, to direct the Securities and Exchange Commission to enact certain regulatory changes regarding digital units secured through public key cryptography, to adjust taxation of virtual currencies held in individual retirement accounts, to create a tax exemption for exchanges of one virtual currency for another, to create a de minimis exemption from taxation for gains realized from the sale or exchange of virtual currency for other than cash, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means,

for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI:

H.R. 7357. A bill to establish within the Department of Transportation an Assistant Secretary of Automated Mobility and to direct such Assistant Secretary to submit to Congress a report on automated vehicles, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLDING:

H.R. 7358. A bill to amend the Internal Revenue Code of 1986 to provide an alternative exclusion for nonresident citizens of the United States living abroad; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Ms. JACKSON LEE, Ms. CLARKE of New York, and Ms. NORTON):

H.R. 7359. A bill to authorize the use of certain Department of Justice grant funds for voting restoration education, and for other purposes; to the Committee on the Judiciary.

By Ms. JUDY CHU of California:

H.R. 7360. A bill to prohibit the Department of Health and Human Services from operating unlicensed temporary emergency shelters for unaccompanied alien children; to the Committee on the Judiciary.

By Mr. BUDD:

H.R. 7361. A bill to amend the Internal Revenue Code of 1986 to allow exclusion of gain or loss on like-kind exchanges of virtual currency; to the Committee on Ways and Means.

By Mr. MULLIN:

H.R. 7362. A bill to provide full-year appropriations for the Indian Health Service in the event of a partial lapse in appropriations, and for other purposes; to the Committee on Appropriations.

By Mr. GOHMERT:

H.R. 7363. A bill to amend the Communications Act of 1934 to provide that an owner or operator of a social media service that hinders the display of user-generated content shall be treated as a publisher or speaker of such content, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARR:

H.R. 7364. A bill to amend the Consumer Financial Protection Act of 2010 to extend the supervisory authority of the Bureau of Consumer Financial Protection to include assessing compliance with the Military Lending Act; to the Committee on Financial Services, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself, Mr. LONG, and Mr. GUTHRIE):

H.R. 7365. A bill to require the Federal Communications Commission to approve or deny a license transfer application within 180 days of submission, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISSA:

H.R. 7366. A bill to reform and improve procedures for amending patents subject to post-issuance review proceedings of the United States Patent and Trademark Office, and for other purposes; to the Committee on the Judiciary.

By Mr. BEYER (for himself and Mr. REICHERT):

H.R. 7367. A bill to designate a peak in the State of Washington as ''Mount Cleator''; to the Committee on Natural Resources.

By Mr. BEYER (for himself, Mr. WITTMAN, Mr. GARAMENDI, Mr. SERRANO, Ms. NORTON, Mr. KILMER, Mr. PERLMUTTER, Mr. CONNOLLY, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. TAKANO, Mr. RASKIN, Mr. LYNCH, Mr. MEEKS, Mr. COOPER, Ms. SCHAKOWSKY, Mr. VELA, Mr. PALLONE, Mrs. DEMINGS, Mr. POCAN, Mr. CUMMINGS, Mr. SCOTT of Virginia, Ms. PINGREE, Mrs. CAROLYN B. MALONEY of New York, Mr. BEN RAY LUJÁN of New Mexico, Ms. CLARKE of New York, Mr. MCEACHIN, Mr. HASTINGS, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MOORE, Mr. BROWN of Maryland, Mrs. COMSTOCK, Mr. VISCLOSKY, Mr. LAWSON of Florida, Mr. COLE, Mrs. BUSTOS, Ms. ESHOO, Mr. COURTNEY, Ms. STEFANIK, Mr. VARGAS, Ms. DELAURO, Mrs. WATSON COLEMAN, Mr. PRICE of North Carolina, Ms. SHEA-PORTER, Ms. LOFGREN, Ms. ROYBAL-ALLARD, Mr. HOYER, Mr. SARBANES, Mr. SIRES, Mr. LOWENTHAL, Mr. PANETTA, Mr. DELANEY, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. FITZPATRICK, Mr. VEASEY, Ms. BLUNT ROCHESTER, Ms. BARRAGÁN, Ms. MCCOLLUM, Mr. COHEN, Mr. COSTA, Mr. RUPPERSBERGER, Mr. FOSTER, Mr. JONES of North Carolina, Mr. LANGEVIN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DEFAZIO, Ms. MENG, Mr. CARBAJAL, Mr. SMITH of Washington, and Ms. PLASKETT):

H.R. 7368. A bill to provide for the compensation of Federal employees furloughed during a Government shutdown; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself and Mr. RUIZ):

H.R. 7369. A bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to provide the Attorney General certain notifications in certain determinations made by the Secretary of improper prescribing of controlled substances, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRIST (for himself and Mr. GRAVES of Louisiana):

H.R. 7370. A bill to direct the Attorney General to convene an interagency working group to study the enforcement of section 227(b) of the Communications Act of 1934; to the Committee on Energy and Commerce.

By Mr. CRIST:

H.R. 7371. A bill to provide that the Social Security Administration pay fees associated with obtaining birth certificate or State identification card for purposes of obtaining a replacement social security card for certain victims of domestic violence, and for other purposes; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 7372. A bill to prevent the changing of regulations governing the provision of waivers under the supplemental nutrition assistance program, and for other purposes; to the Committee on Agriculture.

By Mr. HOLDING:

H.R. 7373. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from FIRPTA for interests held by certain foreign insurance companies; to the Committee on Ways and Means.

By Ms. JONES of Michigan (for herself and Mrs. LAWRENCE):

H.R. 7374. A bill to provide consequences to States that reduce their State minimum wage and to redirects Federal funding to those States to the neediest localities; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JONES of Michigan (for herself and Mrs. LAWRENCE):

H.R. 7375. A bill to eliminate certain tax breaks and benefits and use the savings for investment in affordable housing for extremely low- and very low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself and Ms. BONAMICI):

H.R. 7376. A bill to amend the Higher Education Act of 1965 to establish a work-based learning opportunities pilot grant program; to the Committee on Education and the Workforce.

By Mr. LARSEN of Washington:

H.R. 7377. A bill to amend the Internal Revenue Code of 1986 to exempt survivor benefit annuity plan payments from the individual alternative minimum tax; to the Committee on Ways and Means.

By Mr. LUETKEMEYER (for himself, Mr. LAMALFA, Mr. LONG, Mr. NORMAN, Mr. KELLY of Mississippi, Mr. SMITH of Missouri, and Mrs. WAGNER):

H.R. 7378. A bill to require a guidance clarity statement on certain agency documents; to the Committee on Oversight and Government Reform.

By Mr. MEADOWS:

H.R. 7379. A bill to prioritize the purchase of agricultural commodities from domestically owned enterprises, and for other purposes; to the Committee on Agriculture.

By Mr. MEADOWS:

H.R. 7380. A bill to provide for an online repository for certain reporting requirements for recipients of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Small Business, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERRY:

H.R. 7381. A bill to amend title 18, United States Code, to provide that traveling interstate or causing another to travel interstate for the purpose of female genital mutilation is prohibited, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYCE of California (for himself and Ms. VELÁZQUEZ):

H.R. 7382. A bill to regulate lobbying by Fannie Mae and Freddie Mac, and for other purposes; to the Committee on Financial Services.

By Mr. SHERMAN:

H.R. 7383. A bill to break up large financial entities; to the Committee on Financial Services.

By Mr. SHERMAN (for himself, Mr. YOHO, Mr. CONNOLLY, Mrs. WAGNER, and Mr. MCGOVERN):

H.R. 7384. A bill to counter the mass arbitrary detention of Turkic Muslims, including Uighurs, within the Xinjiang Uighur Autonomous Region of the People's Republic of China, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself and Ms. PLASKETT):

H.R. 7385. A bill to direct the President to establish pilot programs to provide long-term rental housing assistance and case management services after certain major disasters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALBERG (for himself and Ms. DELBENE):

H.R. 7386. A bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to facilitate the disclosure of tax return information to carry out the Higher Education Act of 1965, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN:

H.R. 7387. A bill to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS:

H. Con. Res. 146. Concurrent resolution expressing the sense of Congress on the need to inform American consumers with more balanced purchasing information for prescription drugs through the disclosure of price information in direct-to-consumer (DTC) advertisements; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER:

H. Con. Res. 147. Concurrent resolution calling for an update to certain Occupational Safety and Health Regulations and certain Environmental Protection Agency programs relating to highly hazardous chemicals; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN:

H. Res. 1184. A resolution expressing the sense of the House of Representatives that the 15th anniversary of the creation of Health Savings Accounts should be remembered as a turning point in the history of health care in the United States; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. DAVIDSON:

H.R. 7356.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into the Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LIPINSKI:

H.R. 7357.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, U.S. Constitution

By Mr. HOLDING:

H.R. 7358.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. MOORE:

H.R. 7359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3

By Ms. JUDY CHU of California:

H.R. 7360.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution.

By Mr. BUDD:

H.R. 7361.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes'');

Article I, Section 8, Clause 5 (''To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures''); and

Article I, Section 8, Clause 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.'').

By Mr. MULLIN:

H.R. 7362.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. ''. . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds,'to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. GOHMERT:

H.R. 7363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: ''To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. BARR:

H.R. 7364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. FLORES:

H.R. 7365.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. ISSA:

H.R. 7366.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 8

''To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.''

By Mr. BEYER:

H.R. 7367.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. BEYER:

H.R. 7368.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of section 9 of Article I of the Constitution of the United States.

[Page H2042]

By Mr. BILIRAKIS:

H.R. 7369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Mr. CRIST:

H.R. 7370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. CRIST:

H.R. 7371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. DELAURO

H.R. 7372.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Mr. HOLDING:

H.R. 7373.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. JONES of Michigan:

H.R. 7374.

Congress has the power to enact this legislation pursuant to the following:

Art. I Sec. 8 Cl. 1

By Ms. JONES of Michigan:

H.R. 7375.

Congress has the power to enact this legislation pursuant to the following:

Art. I Sec. 8 Cl. 1

By Mr. KILMER:

H.R. 7376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. LARSEN of Washington:

H.R. 7377.

Congress has the power to enact this legislation pursuant to the following:

As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mr. LUETKEMEYER:

H.R. 7378.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. MEADOWS:

H.R. 7379.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and;

Article I, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MEADOWS:

H.R. 7380.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 8, CLAUSE 3 states, ''The Congress shall have Power To . . . regulate Commerce . . . among the several States.. . .'' And, ARTICLE I, SECTION 8, CLAUSE 18 states, ''The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. PERRY:

H.R. 7381.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ROYCE of California:

H.R. 7382.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1, Section 8, Clause 2; and Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. SHERMAN:

H.R. 7383.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. SHERMAN:

H.R. 7384.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution

By Ms. TITUS:

H.R. 7385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. WALBERG:

H.R. 7386.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. WALDEN:

H.R. 7387.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 173: Mr. MORELLE.

H.R. 914: Mr. MORELLE.

H.R. 930: Mr. WEBER of Texas.

H.R. 1291: Mr. KEATING and Ms. WILD.

H.R. 1615: Mr. MORELLE.

H.R. 1739: Mr. MORELLE.

H.R. 1869: Mr. MORELLE.

H.R. 1957: Mr. MORELLE.

H.R. 2151: Mr. MORELLE.

H.R. 2242: Ms. CLARKE of New York.

H.R. 2475: Mr. COURTNEY and Mr. KRISHNAMOORTHI.

H.R. 2906: Mr. HUFFMAN.

H.R. 2978: Mr. MORELLE.

H.R. 3222: Mr. MORELLE.

H.R. 3602: Mr. MORELLE.

H.R. 3653: Mr. MEEKS.

H.R. 3918: Mr. FASO.

H.R. 3923: Ms. SCANLON.

H.R. 4040: Mr. CARBAJAL.

H.R. 4206: Mr. BERA.

H.R. 4271: Mr. RUPPERSBERGER.

H.R. 4297: Mr. GIANFORTE, Mr. SMUCKER, and Mr. GARAMENDI.

H.R. 4384: Mr. SEAN PATRICK MALONEY of New York.

H.R. 4647: Mr. PERLMUTTER and Mr. OLSON.

H.R. 4732: Ms. JUDY CHU of California, Mr. VARGAS, Mrs. HARTZLER, and Ms. ESHOO.

H.R. 4815: Mr. MCGOVERN and Ms. LOFGREN.

H.R. 4843: Mr. THOMPSON of California.

H.R. 5011: Mr. PERLMUTTER and Ms. BONAMICI.

H.R. 5340: Mr. BIGGS.

H.R. 5499: Mr. LANGEVIN, Mr. GOTTHEIMER, Mr. KHANNA, Mr. GRIJALVA, Mr. DESAULNIER, Mr. ENGEL, Mr. CORREA, and Mr. HIMES.

H.R. 5658: Mr. WALBERG.

H.R. 6016: Mr. JOYCE of Ohio.

H.R. 6060: Mr. LEWIS of Georgia, Ms. BROWNLEY of California, and Mr. CARBAJAL.

H.R. 6080: Ms. WILD.

H.R. 6093: Mr. DESAULNIER.

H.R. 6230: Mr. PANETTA.

H.R. 6505: Mr. SIRES and Ms. CASTOR of Florida.

H.R. 6510: Ms. BARRAGÁN.

H.R. 6543: Ms. BROWNLEY of California.

H.R. 6759: Ms. BARRAGÁN.

H.R. 6864: Mr. SOTO.

H.R. 7082: Mr. DANNY K. DAVIS of Illinois.

H.R. 7128: Mr. GROTHMAN.

H.R. 7129: Mr. JOHNSON of Georgia.

H.R. 7165: Ms. LOFGREN.

H.R. 7212: Mr. CÁRDENAS, Mr. DESAULNIER, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. WILSON of Florida, and Mr. MARSHALL.

H.R. 7225: Mr. EMMER.

H.R. 7249: Mr. MARSHALL.

H.R. 7273: Mr. ZELDIN.

H.R. 7275: Mr. CORREA.

H.R. 7277: Ms. SPEIER.

H.R. 7293: Mr. COURTNEY.

H.R. 7304: Mr. JODY B. HICE of Georgia and Mr. ZELDIN.

H.R. 7320: Mr. CICILLINE, Mr. KENNEDY, Mr. LYNCH, and Mr. MOULTON.

H.R. 7325: Mr. POSEY and Mr. ZELDIN.

H.R. 7350: Mr. YOHO and Mr. DOGGETT.

H.J. Res. 145: Mr. DESAULNIER.

H. Con. Res. 145: Mr. DELANEY.

H. Res. 69: Ms. MAXINE WATERS of California.

H. Res. 1031: Mr. LYNCH, Ms. JAYAPAL, Mr. LAWSON of Florida, and Mr. CUELLAR.

H. Res. 1067: Mr. DELANEY.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164 WASHINGTON, THURSDAY, DECEMBER 20, 2018 *No. 201*

Senate

The Senate met at 11:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Father of mercies, You illumine all history with the shining light of Bethlehem. In this season, when we think about peace on Earth and good will to humanity, bless all those who love and serve You by working for unity, justice, and civility in our world. Continue to use our lawmakers for Your glory. Make them strong in their convictions, as they seek to faithfully serve You and country. Lord, draw them close to You and to one another, inspiring them to bear one another's burdens and so fulfill the law and the Gospel. And Lord, bless and keep Your servant, Senator ORRIN HATCH and his beloved Elaine as they prepare to transition from the Senate.

We pray in the Name of the Prince of Peace. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SULLIVAN). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. The Senator from Alaska.

NUCLEAR ENERGY INNOVATION AND MODERNIZATION ACT

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 108, S. 512.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 512) to modernize the regulation of nuclear energy.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Nuclear Energy Innovation and Modernization Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

Congress finds that—

(1) the safe and secure operation of nuclear reactors in the United States must remain the paramount focus of the Nuclear Regulatory Commission;

(2) the existing fleet of nuclear reactors in the United States is operating safely and securely;

(3) nuclear energy is the largest source of affordable, reliable, emissions-free energy in the United States, providing approximately 20 percent of the electricity consumed in the United States and 60 percent of emissions-free electricity generation in the United States;

(4) a 1,000-megawatt nuclear plant—

(A) provides approximately 500 permanent jobs;

(B) pays approximately $40,000,000 annually in wages;

(C) generates approximately $470,000,000 annually in goods and services in the local community; and

(D) pays approximately $83,000,000 annually in Federal, State, and local taxes;

(5) nuclear energy is of critical importance to United States energy security and worldwide influence on nonproliferation;

(6) nuclear energy uses widely available fuel resources to enable scientific progress, emissions-free and reliable electricity generation, heat generation for industrial applications, and power for deep space exploration;

(7) the private sector, the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), and institutions of higher education are pursuing innovations in nuclear energy technology that will play a crucial role in—

(A) the future global and United States energy supply; and

(B) the exports, manufacturing, and economy of the United States;

(8) eventual deployment of commercial advanced nuclear reactors will require—

(A) modernizing the regulatory framework; and

(B) making other necessary changes to facilitate the efficient, predictable, and affordable deployment of advanced nuclear reactor technologies;

(9) 2 impediments to the commercialization of advanced nuclear reactors are the high costs and long durations associated with applying the existing nuclear regulatory framework to advanced nuclear reactors;

(10) license application reviews should be as predictable, efficient, and timely as practicable without compromising safety or security;

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

(11) the development of advanced nuclear reactors would benefit from the early identification of policy issues for timely consideration and resolution by the Commission to improve the efficient development of designs as well as preparing for design review and licensing;

(12) the existing nuclear regulatory framework and the requirements of that framework have not adapted to advances in scientific understanding or the features and performance characteristics of advanced nuclear reactor designs;

(13) the existing nuclear reactor licensing process does not provide iterative feedback to manage risk as needed for typical technology development and investment cycles;

(14) a staged licensing structure that provides clear and periodic feedback to applicants on an agreed schedule will help to enable the commercialization of safer and innovative technologies that will benefit the economy, national security, and environment of the United States;

(15) a technology-inclusive Commission regulatory framework will—

(A) allow greater technological innovation; and

(B) enable inventors, scientists, engineers, and students to pursue licensing advanced reactor concepts;

(16) further preparation by the Commission of the research and test reactor licensing process will enable the Commission to more efficiently process applications for research and test reactors when the applications are received;

(17) it is incumbent on the Commission—

(A) to budget appropriate resources to undertake an active role in design familiarization activities with potential applicants with advanced reactor designs;

(B) to budget for adequate resources to conduct licensing reviews and other work requested by licensees and applicants; and

(C) to use those budgeted funds to ensure responsiveness to licensees and applicants in recognition of the dependence of the licensees and applicants on Commission approval before the benefits of the technology of the licensees and applicants can be realized; and

(18) both prospective advanced nuclear reactor applicants and the existing fleet of nuclear reactors in the United States would benefit from modernizing the outdated fee recovery structure of the Commission to better manage fluctuations in workload and the number of licensees in a fair and equitable manner.

SEC. 3. PURPOSE.

The purpose of this Act is to provide—

(1) a program to develop the expertise and regulatory processes necessary to allow innovation and the commercialization of advanced nuclear reactors;

(2) a revised fee recovery structure to ensure the availability of resources to meet industry needs without burdening existing licensees unfairly for inaccurate workload projections or premature existing reactor closures; and

(3) more efficient regulation of uranium recovery.

SEC. 4. DEFINITIONS.

In this Act:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' means a nuclear fission or fusion reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act)), with significant improvements compared to commercial nuclear reactors under construction as of the date of enactment of this Act, including improvements such as—

(A) additional inherent safety features;

(B) significantly lower levelized cost of electricity;

(C) lower waste yields;

(D) greater fuel utilization;

(E) enhanced reliability;

(F) increased proliferation resistance;

(G) increased thermal efficiency; or

(H) ability to integrate into electric and non-electric applications.

(2) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' means fuel for use in an advanced nuclear reactor or a research and test reactor, including fuel with a low uranium enrichment level of not greater than 20 percent.

(3) AGREEMENT STATE.—The term ''Agreement State'' means any State with which the Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(5) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(6) CONCEPTUAL DESIGN ASSESSMENT.—The term ''conceptual design assessment'' means an early-stage review by the Commission that—

(A) assesses preliminary design information for consistency with applicable regulatory requirements of the Commission;

(B) is performed on a set of topic areas agreed to in the licensing project plan; and

(C) is performed at a cost and schedule agreed to in the licensing project plan.

(7) CORPORATE SUPPORT COSTS.—The term ''corporate support costs'' means expenditures for acquisitions, administrative services, financial management, human resource management, information management, information technology, policy support, outreach, and training, as those categories are described and calculated in Appendix A of the Congressional Budget Justification for Fiscal Year 2017 of the Commission.

(8) LICENSING PROJECT PLAN.—The term ''licensing project plan'' means a plan that describes—

(A) the interactions between an applicant and the Commission; and

(B) project schedules and deliverables in specific detail to support long-range resource planning undertaken by the Commission and an applicant.

(9) REGULATORY FRAMEWORK.—The term ''regulatory framework'' means the framework for reviewing requests for certifications, permits, approvals, and licenses for nuclear reactors.

(10) REQUESTED ACTIVITY OF THE COMMISSION.—The term ''requested activity of the Commission'' means—

(A) the processing of applications for—

(i) design certifications or approvals;

(ii) licenses;

(iii) permits;

(iv) license amendments;

(v) license renewals;

(vi) certificates of compliance; and

(vii) power uprates; and

(B) any other activity requested by a licensee or applicant.

(11) RESEARCH AND TEST REACTOR.—

(A) IN GENERAL.—The term ''research and test reactor'' means a reactor that—

(i) falls within the licensing and related regulatory authority of the Commission under section 202 of the Energy Reorganization Act of 1974 (42 U.S.C. 5842); and

(ii) is useful in the conduct of research and development activities as licensed under section 104 c. of the Atomic Energy Act (42 U.S.C. 2134(c)).

(B) EXCLUSION.—The term ''research and test reactor'' does not include a commercial nuclear reactor.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(13) STANDARD DESIGN APPROVAL.—The term ''standard design approval'' means the approval of a final standard design or a major portion of a final design standard as described in subpart E of part 52 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(14) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—The term ''technology-inclusive regulatory framework'' means a regulatory framework developed using methods of evaluation that are flexible and practicable for application to a variety of reactor technologies, including, where appropriate, the use of risk-informed and performance-based techniques and other tools and methods.

(15) TOPICAL REPORT.—The term ''topical report'' means a document submitted to the Commission that addresses a technical topic related to nuclear reactor safety or design.

TITLE I—ADVANCED NUCLEAR REACTORS AND USER FEES

SEC. 101. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES THROUGH FISCAL YEAR 2019.

(a) IN GENERAL.—Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) amounts appropriated to the Commission for the fiscal year for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103 of the Nuclear Energy Innovation and Modernization Act.''.

(b) REPEAL.—Effective October 1, 2019, section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is repealed.

SEC. 102. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER.

(a) ANNUAL BUDGET JUSTIFICATION.—

(1) IN GENERAL.—In the annual budget justification submitted by the Commission to Congress, the Commission shall expressly identify anticipated expenditures necessary for completion of the requested activities of the Commission anticipated to occur during the applicable fiscal year.

(2) RESTRICTION.—Budget authority granted to the Commission for purposes of the requested activities of the Commission shall be used, to the maximum extent practicable, solely for conducting requested activities of the Commission.

(3) LIMITATION ON CORPORATE SUPPORT COSTS.—With respect to the annual budget justification submitted to Congress, corporate support costs, to the maximum extent practicable, shall not exceed the following percentages of the total budget authority of the Commission requested in the annual budget justification:

(A) 30 percent for each of fiscal years 2020 and 2021.

(B) 29 percent for each of fiscal years 2022 and 2023.

(C) 28 percent for fiscal year 2024 and each fiscal year thereafter.

(b) FEES AND CHARGES.—

(1) ANNUAL ASSESSMENT.—

(A) IN GENERAL.—Each fiscal year, the Commission shall assess and collect fees and charges in accordance with paragraphs (2) and (3) in a manner that ensures that, to the maximum extent practicable, the amount collected is equal to an amount that approximates—

(i) the total budget authority of the Commission for that fiscal year; less

(ii) the budget authority of the Commission for the activities described in subparagraph (B).

(B) EXCLUDED ACTIVITIES DESCRIBED.—The activities referred to in subparagraph (A)(ii) are the following:

(i) Any fee relief activity identified by the Commission in the final rule of the Commission entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' (80 Fed. Reg. 37432 (June 30, 2015)).

(ii) Amounts appropriated for a fiscal year to the Commission—

(I) from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c));

(II) for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2601 note; Public Law 108–375);

(III) for the homeland security activities of the Commission (other than for the costs of fingerprinting and background checks required under section 149 of the Atomic Energy Act of 1954 (42 U.S.C. 2169) and the costs of conducting security inspections);

(IV) for the Inspector General services of the Commission provided to the Defense Nuclear Facilities Safety Board;

(V) for research and development at universities in areas relevant to the mission of the Commission; and

(VI) for a nuclear science and engineering grant program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

(iii) Costs for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103.

(C) EXCEPTION.—The exclusion described in subparagraph (B)(iii) shall cease to be effective on January 1, 2031.

(D) REPORT.—Not later than December 31, 2029, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the views of the Commission on the continued appropriateness and necessity of the funding described in subparagraph (B)(iii).

(2) FEES FOR SERVICE OR THING OF VALUE.—In accordance with section 9701 of title 31, United States Code, the Commission shall charge fees to any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

(3) ANNUAL FEES.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in subparagraph (D), the Commission may charge to any licensee or certificate holder of the Commission an annual fee.

(B) CAP ON ANNUAL FEES OF CERTAIN LICENSEES.—

(i) IN GENERAL.—The annual fee under subparagraph (A) charged to an operating reactor licensee, to the maximum extent practicable, shall not exceed the annual fee amount per operating reactor licensee established in the final rule of the Commission entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' (80 Fed. Reg. 37432 (June 30, 2015)), as may be adjusted annually by the Commission to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(ii) WAIVER.—The Commission may waive, for a period of 1 year, the cap on annual fees described in clause (i) if the Commission submits to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a written determination that the cap on annual fees may compromise the safety and security mission of the Commission.

(C) AMOUNT PER LICENSEE.—

(i) IN GENERAL.—The Commission shall establish by rule a schedule of fees fairly and equitably allocating the aggregate amount of charges described in subparagraph (A) among licensees and certificate holders.

(ii) REQUIREMENT.—The schedule of fees under clause (i)—

(I) to the maximum extent practicable, shall be based on the cost of providing regulatory services; and

(II) may be based on the allocation of the resources of the Commission among licensees or certificate holders or classes of licensees or certificate holders.

(D) EXEMPTION.—

(i) DEFINITION OF RESEARCH REACTOR.—In this subparagraph, the term ''research reactor'' means a nuclear reactor that—

(I) is licensed by the Commission under section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation at a thermal power level of not more than 10 megawatts; and

(II) if licensed under subclause (I) for operation at a thermal power level of more than 1 megawatt, does not contain—

(aa) a circulating loop through the core in which the licensee conducts fuel experiments;

(bb) a liquid fuel loading; or

(cc) an experimental facility in the core in excess of 16 square inches in cross-section.

(ii) EXEMPTION.—Subparagraph (A) shall not apply to the holder of any license for a federally owned research reactor used primarily for educational training and academic research purposes.

(c) PERFORMANCE AND REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall develop for the requested activities of the Commission—

(A) performance metrics; and

(B) on each request, milestone schedules.

(2) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION.—The Executive Director for Operations of the Commission shall inform the Commission of a delay in issuance of the final safety evaluation for a requested activity of the Commission by the completion date required by the performance metrics or milestone schedule under paragraph (1) by not later than 30 days after the completion date.

(3) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION EXCEEDING 180 DAYS.—If the final safety evaluation for the requested activity of the Commission described in paragraph (2) is not completed by the date that is 180 days after the completion date required by the performance metrics or milestone schedule under paragraph (1), the Commission shall submit to the appropriate congressional committees a timely report describing the delay, including a detailed explanation accounting for the delay and a plan for timely completion of the final safety evaluation.

(d) ACCURATE INVOICING.—With respect to invoices for fees and charges described in subsection (b)(2), the Commission shall—

(1) ensure appropriate management review and concurrence prior to the issuance of invoices;

(2) develop and implement processes to audit invoices to ensure accuracy, transparency, and fairness; and

(3) modify regulations to ensure fair and appropriate processes to provide licensees and applicants an opportunity to efficiently dispute or otherwise seek review and correction of errors in invoices for fees and charges.

(e) REPORT.—Not later than September 30, 2021, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the implementation of this section, including any impacts and recommendations for improvement.

(f) EFFECTIVE DATE.—Except as provided in subsection (c), this section takes effect on October 1, 2019.

SEC. 103. ADVANCED NUCLEAR REACTOR PROGRAM.

(a) LICENSING.—

(1) STAGED LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 270 days after the date of enactment of this Act, the Commission shall develop and implement, within the existing regulatory framework, strategies for—

(A) establishing stages in the licensing process for commercial advanced nuclear reactors; and

(B) developing procedures and processes for—

(i) using a licensing project plan; and

(ii) optional use of a conceptual design assessment.

(2) RISK-INFORMED LICENSING.—Not later than 2 years after the date of enactment of this Act, the Commission shall develop and implement, where appropriate, strategies for the increased use of risk-informed, performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within the existing regulatory framework, including evaluation techniques and guidance for the resolution of the following:

(A) Applicable policy issues identified during the course of review by the Commission of a commercial advanced nuclear reactor licensing application.

(B) The issues described in SECY–93–092 and SECY–15–077, including—

(i) licensing basis event selection and evaluation;

(ii) source terms;

(iii) containment performance; and

(iv) emergency preparedness.

(3) RESEARCH AND TEST REACTOR LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 2 years after the date of enactment of this Act, the Commission shall develop and implement strategies within the existing regulatory framework for licensing research and test reactors, including the issuance of guidance.

(4) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—Not later than December 31, 2024, the Commission shall complete a rulemaking to establish a technology-inclusive, regulatory framework for optional use by commercial advanced nuclear reactor applicants for new reactor license applications.

(5) TRAINING AND EXPERTISE.—As soon as practicable after the date of enactment of this Act, the Commission shall provide for staff training or the hiring of experts, as necessary—

(A) to support the activities described in paragraphs (1) through (4); and

(B) to support preparations—

(i) to conduct pre-application interactions; and

(ii) to review commercial advanced nuclear reactor license applications.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission to carry out this subsection such sums as are necessary.

(b) REPORT TO ESTABLISH STAGES IN THE COMMERCIAL ADVANCED NUCLEAR REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for expediting and establishing stages in the licensing process for commercial advanced nuclear reactors that will allow implementation of the licensing process by not later than 2 years after the date of enactment of this Act (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for implementing strategies to establish stages in the licensing process for commercial advanced nuclear reactor technologies.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A)(i) the unique aspects of commercial advanced nuclear reactor licensing, including the use of alternative coolants, operation at or near atmospheric pressure, and the use of passive safety strategies;

(ii) strategies for the qualification of advanced nuclear reactor fuel, including the use of computer modeling and simulation and experimental validation; and

(iii) for the purposes of predictable, efficient, and timely reviews, any associated legal, regulatory, and policy issues the Commission should address with regard to the licensing of commercial advanced nuclear reactor technologies;

(B) options for licensing commercial advanced nuclear reactors under the regulations of the Commission contained in title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act), including—

(i) the development and use under the regulatory framework of the Commission in effect on the date of enactment of this Act of a licensing project plan that could establish—

(I) milestones that—

(aa) correspond to stages of a licensing process for the specific situation of a commercial advanced nuclear reactor project; and

(bb) use knowledge of the ability of the Commission to review certain design aspects; and

(II) guidelines defining the roles and responsibilities between the Commission and the applicant at the onset of the interaction—

(aa) to provide the foundation for effective communication and effective project management; and

(bb) to ensure efficient progress;

(ii) the use of topical reports, standard design approval, and other appropriate mechanisms as tools to introduce stages into the commercial advanced nuclear reactor licensing process, including how the licensing project plan might structure the use of those mechanisms;

(iii) collaboration with standards-setting organizations to identify specific technical areas for which new or updated standards are needed and providing assistance if appropriate to ensure the new or updated standards are developed and finalized in a timely fashion;

(iv) the incorporation of consensus-based codes and standards developed under clause (iii) into the regulatory framework—

(I) to provide predictability for the regulatory processes of the Commission; and

(II) to ensure timely completion of specific licensing actions;

(v) the development of a process for, and the use of, conceptual design assessments; and

(vi) identification of any policies and guidance for staff that will be needed to implement clauses (i) and (ii);

(C) options for improving the efficiency, timeliness, and cost-effectiveness of licensing reviews of commercial advanced nuclear reactors, including opportunities to minimize the delays that may result from any necessary amendment or supplement to an application;

(D) options for improving the predictability of the commercial advanced nuclear reactor licensing process, including the evaluation of opportunities to improve the process by which application review milestones are established and met; and

(E) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(c) REPORT TO INCREASE THE USE OF RISK-INFORMED AND PERFORMANCE-BASED EVALUATION TECHNIQUES AND REGULATORY GUIDANCE.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for increasing, where appropriate, the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for implementing a strategy to increase the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to develop and implement, where appropriate, risk-informed and performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within existing regulatory frameworks not later than 2 years after the date of enactment of this Act, including policies and guidance for the resolution of—

(i) issues relating to—

(I) licensing basis event selection and evaluation;

(II) use of mechanistic source terms;

(III) containment performance;

(IV) emergency preparedness; and

(V) the qualification of advanced nuclear reactor fuel; and

(ii) other policy issues previously identified; and

(B) the extent to which Commission action is needed to implement any part of the report.

(d) REPORT TO PREPARE THE RESEARCH AND TEST REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for preparing the licensing process for research and test reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for preparing the licensing process for research and test reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the unique aspects of research and test reactor licensing and any associated legal, regulatory, and policy issues the Commission should address to prepare the licensing process for research and test reactors;

(B) the feasibility of developing guidelines for advanced reactor demonstrations and prototypes to support the review process for advanced reactors designs, including designs that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(C) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(e) REPORT TO COMPLETE A RULEMAKING TO ESTABLISH A TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR OPTIONAL USE BY COMMERCIAL ADVANCED NUCLEAR REACTOR TECHNOLOGIES IN NEW REACTOR LICENSE APPLICATIONS AND TO ENHANCE COMMISSION EXPERTISE RELATING TO ADVANCED NUCLEAR REACTOR TECHNOLOGIES.—

(1) REPORT REQUIRED.—Not later than 30 months after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report (referred to in this subsection as the ''report'') for—

(A) completing a rulemaking to establish a technology-inclusive regulatory framework for optional use by applicants in licensing commercial advanced nuclear reactor technologies in new reactor license applications; and

(B) ensuring that the Commission has adequate expertise, modeling, and simulation capabilities, or access to those capabilities, to support the evaluation of commercial advanced reactor license applications, including the qualification of advanced nuclear reactor fuel.

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for developing and implementing a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies, including completion of a rulemaking.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to complete a rulemaking to establish a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies by December 31, 2024;

(B) the extent to which additional legislation, or Commission action or modification of policy, is needed to implement any part of the new regulatory framework;

(C) the need for additional Commission expertise, modeling, and simulation capabilities, or access to those capabilities, to support the evaluation of licensing applications for commercial advanced nuclear reactors and research and test reactors, including applications that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(D) the budgets and timeframes for acquiring or accessing the necessary expertise to support the evaluation of license applications for commercial advanced nuclear reactors and research and test reactors.

SEC. 104. ADVANCED NUCLEAR ENERGY LICENSING COST-SHARE GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means an applicant for a grant under the program that is seeking a license for an advanced nuclear reactor or a research and test reactor.

(2) PROGRAM.—The term ''program'' means the Advanced Nuclear Energy Cost-Share Grant Program established under subsection (b).

(b) ESTABLISHMENT.—The Secretary shall establish a grant program to be known as the ''Advanced Nuclear Energy Cost-Share Grant Program'', under which the Secretary shall make cost-share grants to eligible applicants for the purpose of funding a portion of the Commission fees and other costs of the eligible applicant for pre-application and application review activities.

(c) REQUIREMENT.—The Secretary shall seek out technology diversity in making grants under the program.

(d) COST-SHARE AMOUNT.—The Secretary shall determine the cost-share amount for each grant.

(e) USE OF FUNDS.—Recipients of grants under the program may use the grant funds to cover Commission fees and other costs, including those fees or other costs associated with—

(1) developing a licensing project plan;

(2) preparing an application for and obtaining a conceptual design assessment;

(3) preparing and reviewing topical reports; and

(4) other pre-application and application review activities and interactions with the Commission.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the

Secretary to carry out this section such sums as are necessary.

SEC. 105. BAFFLE-FORMER BOLT GUIDANCE.

(a) REVISIONS TO GUIDANCE.—Not later than September 30, 2017, the Commission shall publish any necessary revisions to the guidance on the baseline examination schedule and subsequent examination frequency for baffle-former bolts in pressurized water reactors with down-flow configurations.

(b) REPORT.—Not later than September 30, 2017, the Commission shall submit to the appropriate congressional committees—

(1) a report explaining any revisions made to the guidance described in subsection (a); or

(2) if no revisions were made, a report explaining why the guidance, as in effect on the date of submission of the report, is sufficient.

SEC. 106. EVACUATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report describing the actions the Commission has taken, or plans to take, to consider lessons learned since September 11, 2001, Superstorm Sandy, Fukushima, and other recent natural disasters regarding directed or spontaneous evacuations in densely populated urban and suburban areas.

(b) INCLUSIONS.—The report under subsection (a) shall—

(1) describe the actions of the Commission—

(A) to consider the results from—

(i) the State-of-the-Art Reactor Consequence Analyses project; and

(ii) the current examination by the Commission of emergency planning zones for small modular reactors and advanced nuclear reactors; and

(B) to monitor international reviews, including reviews conducted by—

(i) the United Nations Scientific Committee on the Effects of Atomic Radiation;

(ii) the World Health Organization; and

(iii) the Fukushima Health Management Survey; and

(2) with respect to a disaster similar to a disaster described in subsection (a), include information about—

(A) potential shadow evacuations in response to the disaster; and

(B) what levels of self-evacuation should be expected during the disaster, including outside the 10-mile evacuation zone.

(c) CONSULTATION REQUIRED.—The report under subsection (a) shall be prepared after consultation with—

(1) the Federal Radiological Preparedness Coordinating Committee;

(2) State emergency planning officials from States that the Commission determines to be relevant to the report; and

(3) experts in analyzing human behavior and probable responses to a radiological emission event.

SEC. 107. ENCOURAGING PRIVATE INVESTMENT IN RESEARCH AND TEST REACTORS.

(a) PURPOSE.—The purpose of this section is to encourage private investment in research and test reactors.

(b) RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) in the first sentence, by striking ''and which are not facilities of the type specified in subsection 104 b.'' and inserting a period; and

(2) by adding at the end the following: ''The Commission is authorized to issue licenses under this section for utilization facilities useful in the conduct of research and development activities of the types specified in section 31 in which the licensee sells research and testing services and energy to others, subject to the condition that the licensee shall recover not more than 75 percent of the annual costs to the licensee of owning and operating the facility through sales of nonenergy services, energy, or both, other than research and development or education and training, of which not more than 50 percent may be through sales of energy.''.

SEC. 108. COMMISSION REPORT ON ACCIDENT TOLERANT FUEL.

(a) DEFINITION OF ACCIDENT TOLERANT FUEL.—In this section, the term ''accident tolerant fuel'' means a new technology that—

(1) makes an existing commercial nuclear reactor more resistant to a nuclear incident (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)); and

(2) lowers the cost of electricity over the licensed lifetime of an existing commercial nuclear reactor.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report describing the status of the licensing process of the Commission for accident tolerant fuel.

TITLE II—URANIUM

SEC. 201. URANIUM RECOVERY REPORT.

Not later than December 31, 2017, the Commission shall submit to the appropriate congressional committees a report describing—

(1) the safety and feasibility of extending the duration of uranium recovery licenses from 10 to 20 years, including any potential benefits of the extension;

(2) the duration of uranium recovery license issuance and amendment reviews; and

(3) recommendations to improve efficiency and transparency of uranium recovery license issuance and amendment reviews.

SEC. 202. PILOT PROGRAM FOR URANIUM RECOVERY FEES.

Not later than July 31, 2018, the Commission shall—

(1) complete a voluntary pilot initiative to determine the feasibility of the establishment of a flat fee structure for routine licensing matters relating to uranium recovery; and

(2) provide to the appropriate congressional committees a report describing the results of the pilot initiative under paragraph (1).

SEC. 203. URANIUM TRANSFERS AND SALES.

Section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) is amended—

(1) by redesignating subsections (b) through (f) as subsections (d) through (h), respectively;

(2) by striking subsection (a) and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) DEPLETED URANIUM.—The term 'depleted uranium' means uranium having an assay less than the assay for—

''(A) natural uranium; or

''(B) 0.711 percent of the uranium-235 isotope.

''(2) HIGHLY ENRICHED URANIUM.—The term 'highly enriched uranium' means uranium having an assay of 20 percent or greater of the uranium-235 isotope.

''(3) LOW-ENRICHED URANIUM.—The term 'low-enriched uranium' means uranium having an assay greater than 0.711 percent but less than 20 percent of the uranium-235 isotope.

''(4) METRIC TON OF URANIUM.—The term 'metric ton of uranium' means 1,000 kilograms of uranium.

''(5) NATURAL URANIUM.—The term 'natural uranium' means uranium having an assay of 0.711 percent of the uranium-235 isotope.

''(6) OFF-SPEC URANIUM.—The term 'off-spec uranium' means uranium in any form, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, UF6, and any byproduct of uranium processing, that does not meet the specification for commercial material (as defined by the standards of the American Society for Testing and Materials).

''(7) URANIUM.—Other than in subsection (c), the term 'uranium' includes natural uranium, uranium hexafluoride, highly enriched uranium, low-enriched uranium, depleted uranium, and any byproduct of uranium processing.

''(8) URANIUM HEXAFLUORIDE; UF6.—The terms 'uranium hexafluoride' and 'UF6' mean uranium that has been combined with fluorine, to form a compound that, dependent on temperature and pressure, can be a solid, liquid, or gas.

''(b) TRANSFERS AND SALES BY THE SECRETARY.—The Secretary is not authorized to provide enrichment services or transfer or sell any uranium except in accordance with this section.

''(c) DEVELOPMENT OF FEDERAL EXCESS URANIUM MANAGEMENT PLAN.—

''(1) IN GENERAL.—Beginning on January 1, 2018, and not less frequently than once every 10 years thereafter, the Secretary shall issue a long-term Federal excess uranium inventory management plan (referred to in this section as the 'plan') that details the management of the excess uranium inventories of the Department of Energy and covers a period of not fewer than 10 years.

''(2) CONTENT.—

''(A) IN GENERAL.—The plan shall cover all forms of uranium within the excess uranium inventory of the Department of Energy, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, off-spec uranium, and UF6.

''(B) REDUCING IMPACT ON DOMESTIC INDUSTRY.—The plan shall outline steps the Secretary will take to minimize the impact of transferring or selling uranium on the domestic uranium mining, conversion, and enrichment industries, including any actions for which the Secretary would require new authority.

''(C) MAXIMIZING BENEFITS TO THE FEDERAL GOVERNMENT.—The plan shall outline steps the Secretary shall take to ensure that the Federal Government maximizes the potential value of uranium for the Federal Government.

''(3) PROPOSED PLAN.—Before issuing the final plan, the Secretary shall publish a proposed plan in the Federal Register pursuant to a rulemaking under section 553 of title 5, United States Code.

''(4) DEADLINES FOR SUBMISSION.—The Secretary shall issue—

''(A) a proposed plan for public comment under paragraph (3) not later than 180 days after the date of enactment of this paragraph; and

''(B) a final plan not later than 1 year after the date of enactment of this paragraph.'';

(3) in subsection (d) (as redesignated by paragraph (1))—

(A) in the sixth sentence of paragraph (3), by striking ''subsections (b)(5), (b)(6) and (b)(7) of this section'' and inserting ''paragraphs (5), (6), and (7)''; and

(B) in paragraph (8), by striking ''(b)'';

(4) in subsection (e)(1) (as redesignated by paragraph (1)), by striking ''subsection (c)(2)'' and inserting ''paragraph (2)'';

(5) in subsection (f) (as redesignated by paragraph (1))—

(A) in paragraph (1), by striking ''(c) and (e)'' and all that follows through ''uranium)'' and inserting ''(e) and (g), the Secretary may, from time to time, sell uranium'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) LIMITATIONS.—The transfers authorized under subsections (e) and (g), and the sales authorized under paragraph (1), shall be subject to the following limitations:

''(A) Effective for the period of calendar years 2017 through 2025, the Secretary shall not transfer or sell more than 2,100 metric tons of natural uranium equivalent annually in any form, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, off-spec uranium, and UF6.

''(B) Effective beginning on January 1, 2026, the Secretary shall not transfer or sell more than 2,700 metric tons of natural uranium equivalent annually in any form, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, off-spec uranium, and UF6.'';

(D) in paragraph (3) (as redesignated by subparagraph (B))—

(i) in the matter preceding subparagraph (A), by striking the paragraph designation and all that follows through ''unless—'' and inserting the following:

''(3) DETERMINATIONS.—Except as provided in subsections (d), (e), and (g), and subject to paragraph (4), no sale or transfer of uranium shall be made unless—''; and

(ii) in subparagraph (B), by striking ''the sale'' and inserting ''the sale or transfer''; and

(E) by adding at the end the following:

''(4) REQUIREMENTS FOR DETERMINATIONS.—

''(A) PROPOSED DETERMINATION.—Before making a determination under paragraph (3)(B), the Secretary shall publish a proposed determination in the Federal Register pursuant to a rulemaking under section 553 of title 5, United States Code.

''(B) QUALITY OF MARKET ANALYSIS.—Any market analysis that is prepared by the Department of Energy, or that the Department of Energy commissions for the Secretary as part of the determination process under paragraph (3)(B), shall be subject to a peer review process consistent with the guidelines of the Office of Management and Budget published at 67 Fed. Reg. 8452–8460 (February 22, 2002) (or successor guidelines), to ensure and maximize the quality, objectivity, utility, and integrity of information disseminated by Federal agencies.

''(C) WAIVER OF SECRETARIAL DETERMINATION.—Beginning on January 1, 2023, the requirement for a determination by the Secretary under paragraph (3)(B) shall be waived for transferring or selling uranium by the Secretary if the uranium has been identified in the updated long-term Federal excess uranium inventory management plan under subsection (c)(1).''; and

(6) in subsection (g) (as redesignated by paragraph (1)), in the matter preceding paragraph (1), by striking ''(d)(2)'' and inserting ''(f)(3), but subject to subsection (f)(2)''.

Mr. SULLIVAN. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Barrasso substitute amendment at the desk be agreed to; and that the bill, as amended, be considered read a third time.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 4175) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. SULLIVAN. I know of no further debate on the bill.

The PRESIDENT pro tempore. Is there any further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 512), as amended, was passed.

Mr. SULLIVAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DIRECTING THE SECRETARY OF ENERGY TO REVIEW AND UPDATE A REPORT ON THE ENERGY AND ENVIRONMENTAL BENEFITS OF THE RE-REFINING OF USED LUBRICATING OIL

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of H.R. 1733 and the Senate proceed to its immediate consideration.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1733) to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SULLIVAN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 1733) was ordered to a third reading, was read the third time, and passed.

DESIGNATING THE ORRIN G. HATCH UNITED STATES COURTHOUSE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3800, introduced earlier today.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3800) to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''ORRIN G. HATCH United States Courthouse.''

There being no objection, the Senate proceeded to consider the bill.

Mr. SULLIVAN. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 3800) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ORRIN G. HATCH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 351 South West Temple in Salt Lake City, Utah, shall be known and designated as the ''Orrin G. Hatch United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Orrin G. Hatch United States Courthouse''.

(c) EFFECTIVE DATE.—This Act shall take effect on January 3, 2019.

The PRESIDENT pro tempore. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, congratulations on that bill. It is very appropriate that you should be the one passing it, since it is named after you.

The PRESIDENT pro tempore. I am not so sure about that. I appreciate that. I am not so sure I am the one who should be here. I didn't realize that was going to happen this morning, but I am very honored, and I am honored by the Senator from Alaska and my fellow Senators in the U.S. Senate.

Mr. SULLIVAN. I yield the floor.

The PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON. Mr. President, I add my congratulations.

The PRESIDENT pro tempore. Thank you, sir. Thank you so much.

Mr. NELSON. Mr. President, it is my understanding that Senator SCHUMER wants to speak, and then I will seek recognition later.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SULLIVAN). The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, last night, the Senate agreed to pass a short-term continuing resolution to keep the government open through early February.

With less than 2 days to go until the appropriations lapse, if we are to avoid a shutdown, the House must pass this continuing resolution and President Trump must sign it. If President Trump vetoes the short-term spending bill, he would no doubt compound the serious errors he has made throughout the budget process. It is already indisputable that a shutdown would fall on President Trump's back. He has been demanding it for months, and, of course, when Leader PELOSI and I went to the White House, he demanded it in front of all the American people.

Now, compounding that—vetoing the last train out of the station, a CR—he would be doubling down on his responsibility for a Christmas shutdown, and every single American would know it. Most importantly, it would not move the needle an inch toward the President getting his wall.

I mention these points because several Members of the Freedom Caucus—the hard rightwing in the House—and hard-right voices in the media are openly encouraging the President to veto any CR that doesn't have his money for the wall. These are the same voices pressuring the House leadership to refuse to put the CR on the floor. The voices of the hard right—both in the House and in the media—give no strategy at all—simply, shut the government down. But none of them have detailed any path to get their wall.

Let me just walk my friends in the House through it. Democrats are not budging on the wall. We favor smart, effective border security, not a medieval wall.

A Trump shutdown will not convince a single Democrat to support bilking the American taxpayers for an ineffective, unnecessary, and exorbitantly expensive wall that President Trump promised Mexico would pay for.

I hear Mr. JORDAN and Mr. MEADOWS say: This was a campaign promise. They are only mentioning half of the campaign promise. The promise throughout the campaign was this: We will build a wall, and Mexico will pay for it.

Furthermore, there are not the votes in the Republican House for a wall. There are not the votes in the Senate for a wall—not now, not next week, not next month or beyond.

If Speaker RYAN refuses to put the CR on the floor or President Trump vetoes it, there will be a Trump shutdown, but there will be no wall. And if President Trump or House Republicans cause a shutdown over Christmas, on January 3, the new Democratic House will send the Senate a clean CR bill. Based on passage of the CR last night, it is clear—and to their credit—that Senate Republicans don't want a shutdown.

What is the endgame here? What is the endgame of those who are demanding the President not sign the CR—that the House not pass the CR? It seems, unfortunately, that the Trump temper tantrum is spreading like a contagion down Pennsylvania Avenue to the allies in the House.

Trump's allies in the House can pound their fists on the table all they want, but it is not going to get a wall. They can—having caught the Trump temper fever—jump up and down, yell and scream. It is not going to get a wall. And neither Mr. MEADOWS nor Mr. JORDAN have outlined any conceivable plan on how to achieve what they say they want to achieve.

I would say this to my less frenzied friends in the House. Go ask Mr. JORDAN and ask Mr. MEADOWS: What is your plan? What is your endgame? What is your path to getting the wall?

I suspect that anyone who asks them will find that they don't have one. They are just angry and mad, and so they pound their fists on the table. They have caught the Trump temper tantrum, but they have no conceivable plan, and so their anger will result in a Trump shutdown, but not a Trump wall. Frankly, their anger will result in further discrediting the President whom they support.

Amazingly, Representative MEADOWS said yesterday that the American people will support President Trump shutting down the government over the wall. I don't know what evidence he has for that or whom he speaks to, because every public poll that I have seen shows that the American people are not only strongly against a border wall, but they are even more strongly against a shutdown to get the wall. Imagine how strongly they would feel as he ties those two things together.

When Mr. MEADOWS says the American people are for it, he must think the American people are only conservative Republicans. If he widened his horizons a bit, he would come to the understanding that shutting down the government over President Trump's wall is futile, self-defeating, and has minimal support among the American people. Even a quarter of President Trump's shrinking base does not support shutting down the government over the wall, and among the vast majority of other Americans who are not part of President Trump's base—and those are the majority of Americans—the strong majority are totally against it.

We need to get something done here to keep the government open over Christmas. We need to tell the hundreds of thousands—millions—of workers that they will get paid over Christmastime. The House needs to come to the same sensible conclusion that the Senate came to—that we should not hold millions of innocent Americans hostage to demand something they will never get.

The Senate has produced a clean bill. There are no partisan demands, no poison pill riders. We could have demanded lots of things in the bill that we want. It is just a clean extension of funding. If House Republicans and President Trump refuse to pass it, then we will have a Trump shutdown over Christmas. The choice is theirs.

NOMINATION OF WILLIAM BARR

Mr. SCHUMER. Mr. President, last night we received some extraordinarily concerning news regarding the President's nominee for Attorney General, Mr. William Barr.

According to reports earlier this year, Mr. Barr sent the Justice Department an unsolicited memo criticizing what he believed to be an avenue of investigation by Special Counsel Robert Mueller. Mr. Barr's memo reveals that he is fatally conflicted from being able to oversee the special counsel's investigation and that he should not be nominated for Attorney General.

Mr. Barr believes Presidents, in general, and, more frighteningly, President Trump, who has shown less respect for rule of law than any President, are above the law—much like Justice Kavanaugh—because he has an almost imperial view of the Presidency—as almost a King, not an elected leader. That much comes across in the memo because it doesn't allow legal processes to work against the President, who might be breaking the law.

We will see what Mueller finds out if that is true, but we should let him go forward. The fact that Mr. Barr holds these deeply misguided views and chose to launch them in an unprovoked written attack on the special counsel unquestionably disqualifies Mr. Barr from serving as Attorney General again.

Since Mr. Barr hasn't been formally nominated yet, the President must immediately reconsider and find another nominee who is free of conflicts and will carry out the duties of law impartially.

ACTING ATTORNEY GENERAL

Mr. SCHUMER. Finally this morning, on another Justice Department matter, the Justice Department seems that it is becoming more and more of a swamp—at least in its top leaders. This time it is Mr. Whitaker.

This morning, we learned that ethics officials at the Justice Department told Acting Attorney General Matthew Whitaker that he did not need to recuse himself from overseeing the special counsel's investigation. The decision by the Justice Department defies logic. Matthew Whitaker has publicly and forcefully advocated for defunding and imposing severe limits on the Mueller investigation, calling it a ''mere witch hunt.'' He also has troubling conflicts of interest, including his relationship with Sam Clovis, who is a grand jury witness in this investigation.

There is clear and obvious evidence of bias on the part of Matthew Whitaker against the special counsel's investigation. To allow him to retain oversight over that investigation without his recusal is incredibly misguided.

The Congress and the American people must be informed of any instance in which Mr. Whitaker has sought or is seeking to interfere with the Mueller investigation. If Mr. Whitaker has sought any limitation on witnesses, funding, subpoenas, or any other limitation, we must be informed of it right now.

We believe that Matthew Whitaker shouldn't be in the job in the first place. His appointment is potentially unconstitutional. His oversight of the Russia investigation is hopelessly biased.

It is clear that President Trump is trying in every way possible to appoint or to nominate people to lead the Justice Department who could well impede the special counsel's investigation.

I thank the Senator from Florida for patiently waiting.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Florida.

SYRIA

Mr. NELSON. Madam President, Syria has been a mess and a concern for quite a number of years. By putting in a small footprint now of a little over 2,000 special operations troops, the United States has been considerably successful when you think of what a chaotic place it was and still is and that it was especially inimical to the interests of the United States just a

few years ago. Remember the horrible images of U.S. citizens being executed by ISIS. Remember all of the trauma we have seen the Syrian Government perpetrate on its own people.

Remember the successful efforts of a combination of forces that ultimately took on ISIS, that removed it from its headquarters of its caliphate and caused it to disperse if it were not eliminated at the time. A lot of that was led with Kurdish fighters who were fighting alongside U.S. special operations advisers. Even though complicated because of the Russians' being there and the Turks' having interests and Assad's trying to hang on to power, the United States has been successful in not eliminating but in lessening the influence of ISIS.

Then came the shocker—the shocker of the President's announcing unilaterally that, all of a sudden, he was going to pull the special operations troops, as advisers, out of Syria. This would likely cause immediate instability. It would certainly allow for ISIS to reconstruct itself, and it would cause chaos with the Kurdish troops who fought alongside the Americans, with the Turkish Government's going after a number of them.

This is an ill-advised and probably a non-advised decision by the President, and it should be reversed. This Senator calls on all of the national defense, national security, and national intelligence professionals who are within the administration to get the President to reverse this unilateral decision that he has made. Otherwise, U.S. interests are going to be ill-served.

AN EARLY CHRISTMAS PRESENT

Mr. NELSON. Madam President, my concluding remarks are about an early Christmas present that I received this past Monday at a staff going-away party that occurred in Florida, where all of our Florida staff came together to wish each other well. Little did I know that a special guest was going to appear. He was none other than one of the chefs of the catering company that was catering this holiday going-away party. Let me tell you the story of this 34-year-old chef and what happened 34 years ago.

At the time of the middle 1980s—1985 to be exact—this Senator was a young Congressman. A husband and wife, who were constituents of mine in East Central Florida, came to me in great distress because their infant boy had been born with a defective liver.

The advance of medicine at that particular time was that there was no known cure except to do a liver transplant. Thirty-four years ago, organ transplants were still in their infancy, and 34 years ago, there was no organ registry being maintained in order to try to find a family who had lost a loved one so that a loved one's organs could be harvested and then be available for those who were on a registry waiting for them. None of that existed 34 years ago.

Only since then have we seen this miraculous organization set up whereby people who need organ transplants can get on the list. Then, whenever an organ becomes available, no matter where it is in the country, that match—that organ—is immediately packed in ice and is flown to the receiving hospital where the organ transplant is going to occur. None of this existed. It was a catch-as-catch-can to find an organ to transplant. This was especially true with a liver transplant because a liver transplant, at the time, had to have the identical blood type, and it had to be the identical size of the recipient's liver.

Here was a few-months'-old child who was desperately clinging to life and needed a liver transplant to survive. At the time, we were in session. There was a particularly major bill that was up, and its passage in the House of Representatives was in the balance—within just a handful of votes. The bill was proposed by President Reagan. I had already decided that I was going to vote for the bill, which was in favor of the President's position, when I saw an opportunity to maybe save this child's life. So I held out and declared my position as ''undecided'' in my knowing that the votes were coming down to just one or two at passage.

Actually, we must have been out for the weekend before this vote was to have occurred, because I received a phone call from President Reagan while I was at my home in Florida. The President greeted me and told me what he was asking me to do.

I said to him: Mr. President, I have already decided that I am going to vote for the bill, and I know that it is welcome news to you. I wish you would do something for me—possibly save a child's life.

I then told him the story of the need of a liver of a certain blood type and of a certain size for a transplant in a minor child. The President said he would do that.

Shortly thereafter, the Secretary of Health and Human Services called, who was a former colleague from the House—Secretary Margaret Heckler of Massachusetts. She said: At the President's request, I am going to have a press conference to put out this information that this child is in need of this specific type of transplant.

Margaret Heckler did that. A donor was found because of that press release in 1985 in California. They raced that harvested organ, by jet, to the hospital in Pittsburgh. Ryan Osterblom, with his parents, was then flown to the hospital. The successful transplant occurred 34 years ago.

Early last Monday, you can imagine the Christmas present I received when there at our going-away party for our staff, the chef of the catering company was none other than 34-year-old Ryan Osterblom. That was the best Christmas present I could have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

TRIBUTE TO BILL NELSON

Mr. ROBERTS. Madam President, I thank Senator NELSON for that touching story.

That would be a Christmas present for not only you but for anybody who has heard the circumstances.

I, too, remember having the privilege of being in public service with President Reagan. He had a human quality that was second to none.

I thank you, Bill, for your service—we used to be on Armed Services together, fighting the battles—but more especially for being a friend. You always had a smile on your face. I probably didn't when we got on the elevators together.

You would say: Pat, what is wrong?

I wouldn't want to go into anything, but I would think, why am I so glum if BILL NELSON is stuck on ''happy'' all the time?

It was the Florida sunshine, I guess.

I thank you for the privilege of being in public service with you, sir. Best wishes for your future, which I know will be very good and very bright, and thank you for that story, which is a great Christmas story. Repeat it often, sir. Thank you.

TRIBUTE TO ORRIN HATCH

Mr. ROBERTS. Madam President, I want to join my colleagues who, over the past few weeks, have come to the floor to thank Senator ORRIN HATCH—the great Senator ORRIN HATCH—for his service to this institution. Senator SULLIVAN just informed me that the body here—the Senate—has, by unanimous consent, passed a bill to name a courthouse in Utah after ORRIN HATCH. He was sitting as the President pro tempore, and the surprised look on his face was a treasure for everybody who saw it.

ORRIN HATCH has consistently maintained a demeanor that represented the Senate well—and that is an understatement—over the course of his illustrious and record-setting 42-year career. As a matter of fact, I think the definition of ''gentleman'' in the new edition of Webster's dictionary simply lists two words: ''ORRIN HATCH.''

Whether he agreed or disagreed with any policy positions or with any individual Senator, he always, always treated you with the greatest of respect. Perhaps that is part of the reason that Senator HATCH will go down as one of the most effective legislators in the history of the Senate. All you have to do is go in his office and see all of the awards, the recordings that illustrate his fantastic music career as a songwriter, and all of the bills. I think it is safe to say that no other living Senator has had more bills that he has sponsored and that have been enacted into law than ORRIN HATCH. We come here to make a difference. We do that through legislation, and that is an indication of the great legacy that this man has left this body.

Not many people have the wherewithal, the stature, and bona fides to have Members from both parties sing their praises. That has happened, of course, on this floor, and that is what ORRIN stands for. ORRIN will be sorely missed—and I mean sorely missed.

Senator HATCH is not most people. Simply put, the institution he loves will not be the same without him.

Since coming from the House to the Senate, I have had the privilege of knowing ORRIn up close and personal. Our offices are right next to each other. I bump into his security detail every morning and say good morning. I feel very safe about that. Then when we have votes, and just about the time he leaves his office and is accompanied by his security detail, he always asks me: Why don't you ride with me? So I have joined his security detail. Every security detail should have a marine. I tell him that I will be in the back to protect his back if anything would happen; obviously, nothing did. But the Senator from Utah should know that I still have his back, and I will always have his back.

I think the measure of a man, with regard to his long hours in the Senate, is hard to measure until you work with him—and I am talking about ORRIN, of course—but work with him with regard to legislation. We are talking about the Finance Committee, and we are talking about the tough legislation that we always have. We would always go to the conference room—those who are privileged to serve on the Finance Committee—and we would walk in, and there would be fruit juice and there would be vitamins and there would be goodies to eat—goodies, of course, that are good for you, as determined by the Senator.

He had that very soft voice, and he would bring people to order. It was a very respectful situation in which we were trying to put together a bill to see if we could move it and work with our colleagues across the aisle. He had such a soft voice that, on occasion, I found that it was best to sit in the back of that conference room and look right at him, so I could tell precisely what he was saying because he never used his voice in a way that was high pitched; it was very calm and reasoned. That was his demeanor. He acted like a Hollywood version of a Senator.

The Tax Cuts and Jobs Act probably would not have come to pass without the leadership of ORRIN HATCH. Boy, was that an effort. We went through the trials and tribulations of tough arguments on both sides. But we always kept in the committee, with him at the helm, a posture of at least trying to work together. We faced some tough issues. At the end of it, there were quite a few amendments. We worked late into the night. The amendments were not going to pass on a partisan vote. That is very unusual for ORRIN. He kept his cool. He kept his demeanor.

Finally, at the end, it became an impossible situation in which we were just going to get into a shouting contest, and he maintained order. When he maintained order, he really maintained order. Usually he didn't have to do that.

My first boss in public service, acting as the chief of staff, was Senator Frank Carlson. He was a great man. He helped found the National Prayer Breakfast here, and in many other Agencies, all throughout the government, that spread. He worked with Billy Graham, somebody named Dwight David Eisenhower, and Conrad Hilton—those four, including Frank Carlson, started the Prayer Breakfast.

The Senator always told me there are no self-made men or women in public service. It is your friends who make you what you are, and if there were ever a person you could put in that category in the Senate, it is ORRIN HATCH. He is a person who would stand behind you when you were taking praise and beside you if you were taking some boos, but ORRIN HATCH never had to do that because in working with him, the chances were that you had a good chance of passing a bipartisan bill.

All of us stand with him with respect and out of friendship. We have a cloth of comity here that is not seen, but it has been observed at least in my 22 years here in the Senate, perhaps a little more than in the rowdy House, of which I was a Member for 16 years, and then 12 before that as a chief of staff. I am sort of like a piece of furniture here, as some would say, with a marble top. But I have seen a lot.

I am very worried about the comity of the Senate. If you pull at those threads, as we have been doing with issues where we should come together, even though there are very tough questions, I worry that we could get into sort of a situation like in Dodge City at the Long Branch Saloon and somebody having a rowdy time there. That should not be the Senate, and it should not be a situation where we pull at those threads of comity to the extent that we won't have any left, and then it is just a shouting contest.

The exception to the rule was the Farm Bill, which the President is going to sign this afternoon. I had the privilege of leading that effort, along with Senator DEBORAH STABENOW from Michigan.

I had some reporters in the other day, and they said: How did you get along with DEBBIE STABENOW?

I said: Well, No. 1, we trust each other; No. 2, we are friends; and No. 3, it isn't our first rodeo. We just worked with each other to get it done. We got 87 votes.

That is precisely the example we followed from ORRIN HATCH, who did so much—produced legislation with Democrats that you would never think would work with a Republican or vice versa. That is his legacy. That is the man I have been privileged to know as a friend.

There is a video out about ORRIN HATCH. He has boxing gloves on, bright blue. There he is—just a couple of days ago when they took the video—willing to throw a few punches, trying to eat bacon with his boxing gloves on. It is a hilarious tribute to him, big smiles on everybody's faces. A tough guy, but not tough to deal with, he always had a way of working things out.

It is a privilege to know ORRIN HATCH. Not many people at my age call me ''Boy,'' but he always would come out that back door and offer a ride, and he would say: Boy, do you want to come along?

I said: Yes, sir.

It has been quite a privilege.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

TRIBUTE TO MAC COLLINS

Mr. PERDUE. Madam President, last month, we lost a true Georgia original.

Mac Collins was a friend of mine. He was a Member of the U.S. House of Representatives for 12 years. He was born in Flovilla, GA, in 1944. At the time, Flovilla had a population of 240 people.

Mac always liked to say he was a graduate of the school of hard knocks. Together with his wife, Julie, he started a trucking company many years ago. Mac started with a single vehicle that he often had to repair at night. Julie kept the books, answered the phones, and sometimes helped load the trucks. The Collins family had a simple motto: ''Can't never could.'' They never gave up, and their hard work paid off. Today, Collins Trucking hauls timber and goods across the South and Midwest and is still a family owned and operated business.

Eventually, Mac turned to public service. He won a seat on the Butts County Commission and a few years later became Butts County's first Republican county commission chairman.

Eventually, Mac was elected to the Georgia State Senate, where he served from 1988 until 1982. Back then, I think you could count on one hand the number of Republicans in the entire State. He was elected to the U.S. House of Representatives in 1992 and served for 12 years. He fought to make America more competitive by changing its archaic Tax Code. He worked on veterans issues and served on both the critical U.S. House Ways and Means Committee and the prestigious Intelligence Committee. Mac was serving in leadership as deputy whip during some of our Nation's most trying days in the aftermath of 9/11.

Throughout his years of service, Mac Collins never forgot his roots. For Georgia Republicans, he was definitely a pioneer. For all Georgians, regardless of their political beliefs, he was a champion. Max's example of entrepreneurship and servant leadership serve as a shining example for us all.

Mac is survived by his wife, Julie, four children, a dozen grandchildren, and three great-grandchildren. Bonnie

and I join all Georgians—and Americans, for that matter—in lifting up their family in our prayers during this time and in honoring Mac Collins' very impressive legacy of service.

When Mac Collins passed away, Georgia and America lost a true statesman, a leader, and my friend.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BLUNT). The Senator from Texas.

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

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

SPACE FRONTIER ACT OF 2018

Mr. CRUZ. Mr. President, for over half a century, the United States has been the global leader in space. In that time, we have not only watched as NASA has sent humans farther than they had ever gone before, but we have also witnessed a new and growing commercial space sector that has pushed the bounds of what we thought possible.

As a nation, we can't simply rest on our laurels and take our leadership for granted. That is why I was proud to be joined by Senators BILL NELSON and ED MARKEY in introducing the Space Frontier Act, which passed out of the Senate Commerce Committee by voice vote on August 1, thanks to the leadership of Chairman JOHN THUNE, who helped make space issues a priority for the committee.

The Space Frontier Act builds upon the U.S. Commercial Space Launch Competitiveness Act that I was proud to work hand in hand with Senator NELSON as well, that was passed by Congress and signed into law by President Obama in 2015.

The United States has the potential to grow an incredibly vibrant and competitive commercial space industry. The FAA reported in 2009 that commercial space transportation and enabled industries generated $208.3 billion in economic activity.

While the commercial space industry is continuing to grow, it has been unable to meet its full potential due to outdated regulations and policies that have the potential to stifle innovation, to restrict investment, and to drive the American launch sector and nontraditional space activities to foreign countries abroad.

The Space Frontier Act seeks to address these challenges by reducing the regulatory barriers that are facing our Nation's commercial space sector so we can allow companies to continue to grow and establish U.S.-led commercial economy in space.

The Space Frontier Act also takes the critical step of continuing the operations and utilization of the International Space Station through the year 2030; ensures that the United States will not cede low-Earth orbit to China; it enacts meaningful reforms to modernize our Nation's launch and reentry regulations; and it streamlines nongovernmental Earth observation regulations. The bill also ensures that both the Department of Commerce and the Department of Transportation will take leading roles in promoting and helping to grow our Nation's commercial space sector.

I am proud to work hand in hand with my friend and colleague, Democratic Senator BILL NELSON, in seeing bipartisan agreement continue in support of America's leadership in space.

I yield the floor to Senator NELSON.

Mr. NELSON. Mr. President, I join our colleague from Texas in asking the Senate to take up and pass the Space Frontier Act of 2019. We are asking to expedite consideration of this bill in order to allow for the House to take it up and pass it tonight.

I thank Senator CRUZ, Senator MARKEY, and the chairman of the Commerce Committee, Senator THUNE, for working with all of us on this bipartisan issue.

It updates the commercial launch and Earth observation regulations. It extends the International Space Station through 2030. This is no minor task to get that national laboratory that is orbiting high above the Earth—six human beings are on board right now doing research. All the people participating, including the commercial sector, know they will have that national laboratory all the way to the end of the decade of the 2020s, which is going to allow them to plan and invest. Who knows what discoveries they will make in this unique environment of zero gravity.

The act also expands opportunities for partnerships with NASA under the Agency's enhanced use authority.

Reforms in this bill will help commercial space companies, very likely in the near future, to have two launches a day. As a result, jobs will continue to soar as the rockets soar off the launchpads. Extending the life of the station well through the next decade, as this bill does, will also ensure that America remains a leader in space exploration.

Now, we know our goal is to go to Mars with humans, and what this bill does today furthers that goal by giving us a research outpost in zero gravity—the International Space Station—by continuing to improve and perfect America's launch capability.

I remind you, it was only a few years ago that we only had about one-third of the world's launches each year. The United States only had one-third. We now have upward of two-thirds. A lot of this is occurring right at Cape Canaveral and the Kennedy Space Center.

So as we set our sights on Mars with the way station at the Moon and build the technologies and the systems in order to carry humans all the way to Mars, land, and to return them safely, this bill is another step, building on the NASA Authorization Act that we passed 1 year ago.

So indeed it is my privilege to be here and to be a part of the passage of this legislation.

Mr. CRUZ. I thank my friend, the senior Senator from Florida, for his leadership and congratulate him on our success in bringing this body together and getting this bill passed.

I hope the House will join us and pass it into law later today.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 686, S. 3277.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3277) to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Space Frontier Act of 2018''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ISS.—The term ''ISS'' means the International Space Station.

(2) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(3) NOAA.—The term ''NOAA'' means the National Oceanic and Atmospheric Administration.

TITLE I—STREAMLINING OVERSIGHT OF LAUNCH AND REENTRY ACTIVITIES

SEC. 101. OVERSIGHT OF NONGOVERNMENTAL SPACE ACTIVITIES.

(a) POLICY.—It is the policy of the United States to provide oversight and continuing supervision of nongovernmental space activities in a manner that encourages the fullest commercial use of space, consistent with section 20102(c) of title 51, United States Code.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) increased activity and new applications in space could grow the space economy;

(2) it is in the national interest of the United States—

(A) to encourage and promote new and existing nongovernmental space activities; and

(B) to provide authorization and continuing supervision of those activities through a process that is efficient, transparent, minimally burdensome, and generally permissive; and

(3) to conduct those activities in a manner that fully protects United States national security assets, NASA human spaceflight and exploration systems, NASA and NOAA satellites, and other Federal assets that serve the public interest.

SEC. 102. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting ''(b) AUTHORIZATION OF APPROPRIATIONS.—'' before ''There'' and indenting appropriately; and

(2) by inserting before subsection (b), the following:

''(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Assistant Secretary for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.''.

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''6'' and inserting ''7''; and

(2) in subparagraph (A), by inserting ''Assistant Secretary for Commercial Space Transportation,'' after ''Assistant Secretary for Research and Technology,''.

SEC. 103. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, in the absence of comprehensive regulatory reform, the Secretary of Transportation should make use of existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, and reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) APPLICATIONS.—A person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

''(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than the applicable deadline described in subparagraph (C), shall issue or transfer a license if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter.

''(C) APPLICABLE DEADLINE.—The applicable deadline described in this subparagraph shall be—

''(i) for an applicant that was or is a holder of any license under this chapter, not later than 90 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(D) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than—

''(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for an applicant described in subparagraph (C)(ii), 120 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(E) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within an applicable deadline established by this subsection.''; and

(B) in paragraph (2)—

(i) by inserting ''PROCEDURES FOR SAFETY APPROVALS.—'' before ''In carrying out'';

(ii) by inserting ''software,'' after ''services,''; and

(iii) by adding at the end the following: ''Such safety approvals may be issued simultaneously with a license under this chapter.''; and

(2) by adding at the end the following:

''(e) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary—

''(A) shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources and reduce the regulatory burden for an applicant under this section; and

''(B) may use the launch and reentry payload review process to authorize nongovernmental space activities that are related to an application for a license or permit under this chapter and are not subject to authorization under other Federal law.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

(c) DEFINITIONS.—Section 50902 of title 51, United States Code, is amended—

(1) by redesignating paragraphs (21) through (25) as paragraphs (24) through (28), respectively;

(2) by redesignating paragraph (20) as paragraph (22);

(3) by redesignating paragraphs (12) through (19) as paragraphs (13) through (20), respectively;

(4) by inserting after paragraph (11) the following:

''(12) 'nongovernmental space activity' means a space activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the space activity for the Government.'';

(5) by inserting after paragraph (20), as redesignated, the following:

''(21) 'space activity' has the meaning given the term in section 60101 of this title.''; and

(6) by inserting after paragraph (22), as redesignated, the following:

''(23) 'space object' has the meaning given the term in section 60101 of this title.''.

(d) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

''(e) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.''.

SEC. 104. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

''(j) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources and reduce the regulatory burden for an applicant under this section.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

SEC. 105. SPACE-RELATED ADVISORY RULEMAKING COMMITTEES.

Section 50903 of title 51, United States Code, is amended by adding at the end the following:

''(e) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to such space-related rulemaking committees under the Secretary's jurisdiction as the Secretary shall designate.''.

SEC. 106. GOVERNMENT-DEVELOPED SPACE TECHNOLOGY.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking ''and encouraging''.

SEC. 107. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States commercial space launch sector in its innovation of small-class launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

(1) IN GENERAL.—Not later than February 1, 2019, the Secretary of Transportation shall issue a notice of proposed rulemaking to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purposes described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that—

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary, industry technical standards that complement the high-level performance requirements established under subparagraph (D); and

(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E).

(d) CONSULTATION.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) Secretary of Defense.

(2) Administrator of NASA.

(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary

of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) CONTENTS.—The report shall include—

(A) milestones and a schedule to meet the objective of this section;

(B) a description of any Federal agency resources necessary to meet the objective of this section;

(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and

(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 108. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) OVERSIGHT AND COORDINATION.—

(1) IN GENERAL.—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall take such action as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application set that satisfies those requirements and expedites the coordination of commercial launch and reentry services.

(2) CHAPTER 509.—

(A) PURPOSES.—Section 50901 of title 51, United States Code, is amended by inserting ''all'' before ''commercial launch and reentry operations''.

(B) GENERAL AUTHORITY.—Section 50903(b) of title 51, United States Code, is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(ii) by inserting before paragraph (2), as redesignated, the following:

''(1) consistent with this chapter, authorize, license, and oversee the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;''.

(3) EFFECTIVE DATE.—This subsection takes effect on the date the final rule under section 107(c) of this Act is published in the Federal Register.

(b) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to affect section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note).

(c) TECHNICAL AMENDMENT; REPEAL REDUNDANT LAW.—Section 113 of the U.S. Commercial Space Launch Competitiveness Act (Public Law 114–90; 129 Stat. 704) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 109. STUDY ON JOINT USE OF SPACEPORTS.

(a) IN GENERAL.—The Secretary of Transportation shall, in consultation with the Secretary of Defense, conduct a study of the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers. The study shall be completed by not later than 180 days after the date of the enactment of this Act.

(b) CONSIDERATIONS.—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including approval procedures for the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

TITLE II—STREAMLINING OVERSIGHT OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

SEC. 201. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending paragraph (12) to read as follows:

''(12) UNENHANCED DATA.—The term 'unenhanced data' means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.'';

(B) by redesignating paragraphs (12) and (13) as paragraphs (18) and (19), respectively;

(C) by redesignating paragraph (11) as paragraph (15);

(D) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(E) by inserting after paragraph (3), the following:

''(4) EARTH OBSERVATION ACTIVITY.—The term 'Earth observation activity' means a space activity the primary purpose of which is to collect data that can be processed into imagery of the Earth.'';

(F) by inserting after paragraph (11), as redesignated, the following:

''(12) NONGOVERNMENTAL EARTH OBSERVATION ACTIVITY.—The term 'nongovernmental Earth observation activity' means an Earth observation activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

''(13) ORBITAL DEBRIS.—The term 'orbital debris' means any space object that is placed in space or derives from a space object placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

''(14) PERSON.—The term 'person' means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.''; and

(G) by inserting after paragraph (15), as redesignated, the following:

''(16) SPACE ACTIVITY.—

''(A) IN GENERAL.—The term 'space activity' means any activity that is conducted in space.

''(B) INCLUSIONS.—The term 'space activity' includes any activity conducted on a celestial body, including the Moon.

''(C) EXCLUSIONS.—The term 'space activity' does not include any activity that is conducted entirely on board or within a space object and does not affect another space object.

''(17) SPACE OBJECT.—The term 'space object' means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.'';

(2) by amending subchapter III to read as follows:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''§ 60121. Purposes

''The purposes of this subchapter are—

''(1) to prevent, to the extent practicable, harmful interference to space activities by nongovernmental Earth observation activities;

''(2) to manage risk and prevent harm to United States national security; and

''(3) to promote the leadership, industrial innovation, and international competitiveness of the United States.

''§ 60122. General authority

''(a) IN GENERAL.—The Secretary shall carry out this subchapter.

''(b) FUNCTIONS.—In carrying out this subchapter, the Secretary shall consult with—

''(1) the Secretary of Defense;

''(2) the Secretary of State;

''(3) the Director of National Intelligence; and

''(4) the head of such other Federal department or agency as the Secretary considers necessary.

''§ 60123. Administrative authority of Secretary

''(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

''(1) grant, condition, or transfer licenses under this chapter;

''(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

''(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

''(4) compromise, modify, or remit any such civil penalty;

''(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

''(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

''(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

''(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

''§ 60124. Authorization to conduct nongovernmental Earth observation activities

''(a) REQUIREMENT.—No person may conduct any nongovernmental Earth observation activity without an authorization issued under this subchapter.

''(b) WAIVERS.—

''(1) IN GENERAL.—The Secretary may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 60121.

''(2) STANDARDS.—Not later than 120 days after the date of enactment of the Space Frontier Act of 2018, the Secretary shall establish standards for determining the de minimis Earth observation activities that would be eligible for a waiver under paragraph (1).

''(c) APPLICATION.—

''(1) IN GENERAL.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 60121, including—

''(A) a description of the proposed Earth observation activity, including—

''(i) a physical and functional description of each space object;

''(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

''(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

''(B) a plan to prevent orbital debris consistent with the 2001 United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

''(C) a description of the capabilities of each instrument to be used to observe the Earth in the conduct of the Earth observation activity.

''(2) APPLICATION STATUS.—Not later than 14 days after the date of receipt of an application, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of that determination, including, if incomplete, the reason the application is incomplete.

''(d) REVIEW.—

''(1) IN GENERAL.—Not later than 120 days after the date that the Secretary makes a determination under subsection (c)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing whether the application was approved or denied.

''(2) APPROVALS.—The Secretary shall approve an application under this subsection if the Secretary determines that—

''(A) the Earth observation activity is consistent with the purposes described in section 60121; and

''(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

''(3) DENIALS.—

''(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

''(i) shall include in the notification under paragraph (1)—

''(I) a reason for the denial; and

''(II) a description of each deficiency, including guidance on how to correct the deficiency;

''(ii) shall sign the notification under paragraph (1);

''(iii) may not delegate the duty under clause (ii); and

''(iv) shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of the notification.

''(B) INTERAGENCY REVIEW.—If, during the review of an application under paragraph (1), the Secretary consults with the head of another Federal department or agency and that head of another Federal department or agency does not support approving the application—

''(i) that head of another Federal department or agency—

''(I) not later than 90 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support, including a description of each deficiency and guidance on how to correct the deficiency;

''(II) shall sign the notification under subclause (I); and

''(III) may not delegate the duty under subclause (II); and

''(ii) the Secretary shall include the notification under clause (i) in the notification under paragraph (1), including classified information if the applicant has the required security clearance for that classified information.

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i)(I) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the application.

''(D) INTERAGENCY DISSENTS.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subsection, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

''(E) DEFICIENCIES.—The Secretary shall—

''(i) provide each applicant under this paragraph with a reasonable opportunity—

''(I) to correct each deficiency identified under subparagraph (A)(i)(II); and

''(II) to resubmit a corrected application for reconsideration; and

''(ii) not later than 30 days after the date of receipt of a corrected application under clause (i)(II), make a determination, in consultation with each head of another Federal department or agency that submitted a notification under subparagraph (B), whether to approve the application or not.

''(F) IMPROPER BASIS FOR DENIAL.—

''(i) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity from competition.

''(ii) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities are commercially available.

''(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

''(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

''(e) ADDITIONAL REQUIREMENTS.—An authorization issued under this subchapter shall require the authorized person—

''(1) to be in compliance with this subchapter;

''(2) to notify the Secretary of any significant change in the information contained in the application; and

''(3) to make available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and on reasonable commercial terms and conditions.

''(f) CONDITIONS.—Prior to making any change to a condition of an authorization under this subchapter, the Secretary shall—

''(1) provide notice of the reason for the change, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

''(2) provide a reasonable opportunity to correct a deficiency identified under paragraph (1).

''§ 60125. Annual reports

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Space Frontier Act of 2018, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress in implementing this subchapter, including—

''(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

''(2) notwithstanding paragraph (4) of section 60124(d), a list of all applications, in the previous calendar year, for which the Secretary missed the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

''(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

''(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

''(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

''§ 60126. Regulations

''The Secretary shall promulgate regulations to implement this subchapter.

''§ 60127. Relationship to other executive agencies and laws

''(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

''(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

''(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(2) the Secretary of Transportation under chapter 509 of this title.

''(c) NONAPPLICATION.—This subchapter does not apply to any space activity the United States Government carries out for the Government.''; and

(3) by amending section 60147 to read as follows:

''§ 60147. Consultation

''(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

''(b) CONSULTATION WITH SECRETARY OF STATE.—

''(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State

shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

''(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

''(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

''(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''60121. Purposes.
''60122. General authority.
''60123. Administrative authority of Secretary.
''60124. Authorization to conduct nongovernmental Earth observation activities.
''60125. Annual reports.
''60126. Regulations.
''60127. Relationship to other executive agencies and laws.''.

(c) RULES OF CONSTRUCTION.—

(1) Nothing in this section or the amendments made by this section shall affect any license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect before the date of enactment of this Act), before the date of enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense Authorization Act for Fiscal Year 1997 (51 U.S.C. 60121 note).

TITLE III—MISCELLANEOUS

SEC. 301. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) fair access to available NASA assets and services on a reimbursable, noninterference, equitable, and predictable basis is advantageous in enabling the United States commercial space industry;

(2) NASA should continue to promote fairness to all parties and ensure best value to the Federal Government in granting use of NASA assets, services, and capabilities in a manner that contributes to NASA's missions and objectives; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and academia.

(b) GUIDANCE FOR SMALL BUSINESS PARTICIPATION.—The Administrator of NASA shall—

(1) provide opportunities for the consideration of small business concerns during public-private partnership planning processes and in public-private partnership plans;

(2) invite the participation of each relevant director of an Office of Small and Disadvantaged Business Utilization under section 15(k) of the Small Business Act 915 U.S.C. 644(k) in public-private partnership planning processes and provide the director access to public-private partnership plans;

(3) not later than 90 days after the date of enactment of this Act—

(A) identify and establish a list of all NASA assets, services, and capabilities that are available, or will be available, for public-private partnership opportunities; and

(B) make the list under subparagraph (A) available on NASA's website, in a searchable format;

(4) periodically as needed, but not less than once per year, update the list and website under paragraph (3); and

(5) not later than 180 days after the date of enactment of this Act, develop a policy and issue guidance for a consistent, fair, and equitable method for scheduling and establishing priority of use of the NASA assets, services, and capabilities identified under this subsection.

(c) STRENGTHENING SMALL BUSINESS AWARENESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of NASA shall designate an official at each NASA Center—

(1) to serve as an advocate for small businesses within the office that manages partnerships at each Center; and

(2) to provide guidance to small businesses on how to participate in public-private partnership opportunities with NASA.

SEC. 302. LEASE OF NON-EXCESS PROPERTY.

Section 20145 of title 51, United States Code, is amended—

(1) in subsection (b)—

(A) in the heading, by striking ''CASH CONSIDERATION'' and inserting ''CONSIDERATION''; and

(B) in paragraph (1)—

(i) in subparagraph (A), by inserting ''IN GENERAL'' before ''A person''; and

(ii) by amending subparagraph (B) to read as follows:

''(B) IN-KIND CONSIDERATION.—Notwithstanding subparagraph (A), the Administrator may accept in-kind consideration for leases entered into for the purpose of developing—

''(i) renewable energy production facilities; and

''(ii) space sector industrial infrastructure and business facilities that the Administrator determines would advance national security interests or civil space capabilities.''; and

(2) in subsection (g), by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

SEC. 303. SENSE OF CONGRESS ON MAINTAINING A NATIONAL LABORATORY IN SPACE.

It is the sense of Congress that—

(1) the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national laboratory in space;

(3) in maintaining a national laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations;

(4) the national laboratory described in paragraph (2) should be maintained beyond the date that the ISS is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space.

SEC. 304. CONTINUATION OF THE ISS.

(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

*(1) in the heading, by striking ''**2024**'' and inserting ''**2030**''; and*

(2) by striking ''2024'' each place it appears and inserting ''2030''.

SEC. 305. UNITED STATES POLICY ON ORBITAL DEBRIS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that can be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to—

(1) protect the public health and safety;

(2) protect humans in space;

(3) protect the national security interests of the United States;

(4) protect the safety of property;

(5) protect space objects from interference; and

(6) protect the foreign policy interests of the United States.

Mr. CRUZ. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Cruz substitute amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 4176), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 3277), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. CRUZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

BORDER SECURITY AND ACCOUNTABILITY FOR THE DEATH OF JAKELIN CAAL

Mr. CASEY. Mr. President, I rise today to speak about the tragic passing of a 7-year-old child, Jakelin Caal, on December 8 of this year.

Jakelin died in Customs and Border Patrol custody, reportedly due to shock and dehydration. It is an understatement to say that we need a thorough and independent investigation to understand exactly what happened in this case and to make sure it never happens again.

Jakelin entered Customs and Border Protection custody and was held with her father overnight with about 160 migrants, nearly half of whom were minors, at the Antelope Wells border station.

Customs and Border Protection has stated that food and water were made available, but the child's father and news articles have stated that water was not—was not—available.

It is not visible from a distance, but I will just hold up a story and a headline from today's Washington Post. The headline reads: ''Lawyers: No water provided to migrant who died.''

Here is what the first paragraph of this Washington Post story, dated today, says:

El Paso. Seven-year-old Jakelin Caal and her father, Nery, were not provided water during the eight hours they were held in a remote Border Patrol facility with 161 other migrants, the family's lawyers said Wednesday, contradicting statements by U.S. Customs and Border Protection.

The story goes on from there.

Similarly—and I am getting back to my observations of this—although health screenings were reportedly conducted, news reports indicate that none of the agents on duty had advanced medical training.

Though the father signed a DHS Form I–779, which is titled ''Juvenile Medical Screening,'' and he apparently also signed other medical paperwork, there are questions as to whether he understood the form itself. I believe it is critical that we evaluate this form and also evaluate the medical screening that children undergo.

I would like to know—and I am sure many Americans would like to know—whether the American Academy of Pediatrics and our Nation's medical professionals believe the current system is adequate. I would add this: When this form and other protocols and procedures were put in place, were those experts, such as the American Academy of Pediatrics, consulted? Was this process or the forms informed by the expertise that is available? That is another set of questions.

This has to be about improving the conditions at our Border Patrol stations to make sure they are safe, including ensuring that there is sufficient food, water, and medical attention at every one of these Border Patrol stations. If that means that the administration comes forward to the Senate or the House in the appropriations process to have more dollars appropriated for this purpose, not just general appropriations but for this purpose—to make sure that food and water and appropriate medical attention is available, and trained medical professionals are available at every Border Patrol station—we should make sure that we engage in a dialogue about such specific appropriations.

Understanding what happened in this tragedy is not about assigning blame. That is easy. That happens all the time in Washington. This shouldn't be one of those instances. This is about fixing the problem so it never happens again. It is also about making sure that our policy and the procedures that surround this policy and the details of the policy and the resources dedicated to it are not just correct, but that these policies are consistent with our values.

Therefore, we need an expeditious, thorough, and independent investigation. We are told that the inspector general is reviewing this. That is good, but that report has to be done expeditiously, and we have to get to the bottom of what happened to this 7-year-old child.

In addition to all of that, there needs to be debate about how to improve the system and how to investigate what happened, with recommendations on the record to improve these policies. We also need Commissioner Kevin McAleenan and Secretary Nielsen to come to testify before Congress so they can provide testimony about what happened here and about what both of them and their Agencies are doing to make sure this never happens again.

Finally, we must take a moment to think about the broader atmosphere and the policies that relate to our border. Those who come to our shores seeking asylum are often fleeing terrible conditions of violence and poverty. In some cases, they are fleeing from almost indescribable horror. All of those seeking asylum should have a fair opportunity to present their claims and should not be subjected to unhealthy, unsanitary, or unsafe conditions while their claims are processed.

It is entirely possible to have an immigration system that treats all individuals with compassion and dignity while also securing the border and protecting national security. None of that is internally inconsistent. A great nation can do all of that. I am certain that our Nation is capable of that.

We must come together as a nation to mourn the loss of Jakelin and others who die under similar circumstances. We need to put politics aside to fix our broken immigration system so that these policies are consistent with our American values.

I would yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 3764

Mr. DAINES. Mr. President, my Montana colleagues, Congressman GIANFORTE and Senator TESTER, and I have worked for years to bring Federal recognition to the Little Shell Tribe, and for the first time, we are just one vote away from making it happen.

Congressman GIANFORTE championed his bill through the House with unanimous votes in the committee and on the floor. When it came to the Senate, Senator TESTER and I pressed it, also by unanimous consent, through the Indian Affairs Committee. Now, with just hours left in the 115th Congress, we need to pass this important bill out of the Senate and get it on the President's desk.

The Little Shell Tribe has waited for lifetimes. It should not have to wait another year to get this done. Therefore, in the fashion of all of the previous votes on this bill that have had strong bipartisan support, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 574, H.R. 3764. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, in reserving the right to object, Tribal recognition is a very serious matter. It is not one that should be undertaken lightly. Given the sacred nature of Tribal recognition and the significant impact it has both on the Tribe in question and on the U.S. Government, as well as on surrounding communities, we have an orderly process by which this needs to be done.

In 2009, the Bureau of Indian Affairs, having considered the argument by the Little Shell, concluded it had failed to meet three of the seven categories that are typically considered for Tribal recognition, and on that basis, the Bureau turned down its application. It has been suggested that there is still an appeal pending—a challenge to that finding—by the Little Shell.

I am not aware of any legal analysis suggesting that the Bureau of Indian Affairs got it wrong. This is not to say that Congress cannot or should not or could not decide on its own to recognize it. Yes, this is a power that Congress has. Yet, as I see it, those seven criteria ought to be considered and considered carefully. I am aware of no

legal analysis indicating that the conclusion by the Bureau of Indian Affairs in 2009 was inadequate or flawed.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. DAINES. Mr. President, I have great respect for the objection by my friend and my colleague from Utah.

I do feel the need to point out that the Little Shell Tribe meets all of the necessary qualifications for recognition, including its having a long history that predates 1940. Let me enumerate on this.

Little Shell is the only Tribe in the country that has funds held in trust by the Department of the Interior but yet lacks Federal recognition. The Little Shell Tribe is the only Tribe that has had a favorable determination by the Department of the Interior and has had it reversed by a bureaucrat with zero negative comments. That decision, however, was remanded by the previous Secretary, and Secretary Zinke strongly supports our efforts here today. The Little Shell has, indeed, existed as a distinct community—recorded as early as 1863 in the Pembina Treaty with the U.S. Government.

I ask unanimous consent that this treaty, with Chief Little Shell's name on it, be printed in the RECORD.

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

TREATY WITH THE CHIPPEWA INDIANS—OCTOBER 2, 1868

TREATY BETWEEN THE UNITED STATES AND THE RED LAKE AND PEMBINA BANDS OF CHIPPEWA INDIANS; CONCLUDED IN MINNESOTA, OCTOBER 2, 1868; RATIFIED BY THE SENATE WITH AMENDMENTS, MARCH 1, 1864; AMENDMENTS ASSENTED TO, APRIL 12, 1864; PROCLAIMED BY THE PRESIDENT OF THE UNITED STATES, MAY 5, 1864.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION

To All and Singular to Whom There Presents Shall Come, Greeting:

Whereas a treaty was made and concluded at the Old Crossing of Red Lake River, in the State of Minnesota, on the second day of October, in the year of our Lord one thousand eight hundred and sixty-three, by and between Alexander Ramsey and Ashley C. Morrill, Commissioners on the part of the United States, and the hereinafter named Chiefs, Headmen, and Warriors of the Red Lake and Pembina Bands of Chippewa Indians, on the part of said Bands, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Articles of A Treaty made and concluded at the Old Crossing of Red Lake River, in the State of Minnesota, on the second day of October, in the year eighteen hundred and sixty-three, between the United States of America, by their Commissioners, Alexander Ramsey and Ashley C. Morrill, agent for the Chippewa Indians, and the Red Lake and Pembina Bands of Chippewas, by their Chiefs, Headmen, and Warriors.

Article I. The peace and friendship now existing between the United States and the Red Lake and Pembina bands of Chippewa Indians shall be perpetual.

Article II. The said Red Lake and Pembina bands of Chippewa Indians do hereby cede, sell, and convey to the United States all their right, title, and interest in and to all the lands now owned and claimed by them in the State of Minnesota and in the Territory of Dakota within the following described boundaries, to wit: Beginning at the point where the international boundary between the United States and the British possessions intersects the shore of the Lake of the Woods; thence in a direct line southwestwardly to the head of Thief River; thence down the main channel of said Thief River to its mouth on the Red Lake River; thence in a south-easterly direction, in a direct line towards the head of Wild Rice River, to the point where such line would intersect the northwestern boundary of a tract ceded to the United States by a treaty concluded at Washington on the twenty-second day of February, in the year eighteen hundred and fifty-five, with the Mississippi, Pillager, and Lake Winnebigoshish bands of Chippewa Indians; thence along the said boundary line of the said cession to the mouth of Wild Rice River; thence up the main channel of the Red River to the mouth of the Shayenne; thence up the main channel of the Shayenne River to Poplar Grove; thence in a direct line to the Place of Stumps, otherwise called Lake Chicot; thence in a direct line to the head of the main branch of Salt River; thence in a direct line due north to the point where such line would intersect, the international boundary aforesaid; thence eastwardly along said boundary to the place of beginning.

Article III. In consideration of the foregoing cession, the United States agree to pay to the said Red Lake and Pembina bands of Chippewa Indians the following sums, to wit: Twenty thousand dollars per annum for twenty years; the said sum to be distributed among the Chippewa Indians of the said bands in equal amounts per capita, and for this purpose an accurate enumeration and enrollment of the members of the respective bands and families shall be made by the officers of the United States: *Provided*, That so much of this sum as the President of the United States shall direct, not exceeding five thousand dollars per year, may be reserved from the above sum, and applied to agriculture, education, the purchase of goods, powder, lead, doc., for their use, and to such other beneficial purposes, calculated to promote the prosperity and happiness of the said Chippewa Indians, as he may prescribe.

Article IV. And in further consideration of the foregoing cession, and of their promise to abstain from such acts in future, the United States agree that the said Red Lake and Pembina bands of Chippewa Indians shall not be held liable to punishment for past offences. And in order to make compensation to the injured parties for the depredations committed by the said Indians on the goods of certain British and American traders at the mouth of Red Lake River, and for exactions forcibly levied by them on the proprietors of the steamboat plying on the Red River, and to enable them to pay their just debts, the United States agree to appropriate the sum of one hundred thousand dollars; it being understood and agreed that the claims of individuals for damages or debt under this article shall be ascertained and audited, in consultation with the chiefs of said bands, by a commissioner or commissioners appointed by the President of the United States, and that after such damages and debts shall have been paid, the residue of the above sum shall be distributed among the chiefs. Furthermore, the sum of two thousand dollars shall be expended for powder, lead, twine, or such other beneficial purposes as the chiefs may request, to be equitably distributed among the said bands at the first payment.

Article V. To encourage and aid the chiefs of said bands in preserving order and inducing, by their example and advice, the members of their respective bands to adopt the habits and pursuits of civilized life, there shall be paid to each of the said chiefs annually, out of the annuities of the said bands, a sum not exceeding one hundred and fifty dollars, to be determined by their agents according to their respective merits. And for the better promotion of the above objects, a further sum of five hundred dollars shall be paid at the first payment to each of the said chiefs to enable him to build for himself a house. Also, the sum of five thousand dollars shall be appropriated by the United States for cutting out a road from Leech Lake to Red Lake.

Article VI. The President shall appoint a board of visitors, to consist of not less than two nor more than three persons, to be selected from such Christian denominations as he may designate, whose duty it shall be to attend at all annuity payments of the said Chippewa Indians, to inspect their fields and other improvements, and to report annually thereon on or before the first day of November, and also as to the qualifications and moral deportment of all persons residing upon the reservation under the authority of law; and they shall receive for their services five dollars a day for the time actually employed, and ten cents per mile for travelling expenses: Provided, That no one shall be paid in any one year for more then twenty days' service, or for more than three hundred miles' travel.

Article VII. The laws of the United States now in force, or that may hereafter be enacted, prohibiting the introduction and sale of spirituous liquors in the Indian country, shall be in fall force and effect throughout the country hereby ceded, until otherwise directed by congress or the President of the United States.

Article VIII. In further consideration of the foregoing cession, it is hereby agreed that the United States shall grant to each male adult half-breed or mixed-blood who is related by blood to the said Chippewas of the said Red Lake or Pembina bands who has adopted the habits and customs of civilized life, and who is a citizen of the United States, a homestead of one hundred and sixty acres of land, to be selected at his option, within the limits of the tract of country hereby ceded to the United States, on any land not previously occupied by actual settlers or covered by prior grants, the boundaries thereof to be adjusted in conformity with the lines of the official surveys when the same shall be made, and with the laws and regulations of the United States affecting the location and entry of the same.

Article IX. Upon the urgent request of the Indians, parties to this treaty, there shall be set apart from the tract hereby ceded a reservation of (640) six hundred and forty acres near the mouth of Thief River for the chief ''Moose Dung,'' and a like reservation of (640) six hundred and forty acres for the chief ''Red Bear,'' on the north side of Pembina River.

In witness whereof, the said Alexander Ramsey and Ashley C. Morrill, commissioners on the part of the United States, and the chiefs, headmen, and warriors of the Red Lake and Pembina bands of Chippewa Indians, have hereunto set their bands, at the Old Crossing of Red Lake River, in the State of Minnesota, this second day of October, in the year of our Lord one thousand eight hundred and sixty-three.

ALEX RAMSEY,
ASHLEY C. MORRILL,
Commissioners.

Mons-O-Mo, his x mark, Moose Dung, Chief of Red Lake.

Kaw-Wash-Ke-Ne-Kay, his x mark, Crooked Arm, Chief of Red Lake.

Ase-E-Ne-Wub, his x mark, Little Rock, Chief of Red Lak[e].

Mis-Co-Muk-Quoh, his x mark, Red Bear, Chief of Pembina.

Ase-Anse, his x mark, Little Shell, Chief of Pembina.

Mis-Co-Co-Noy-A, his x mark, Red Rob, Warrior of Red Lake.

Ka-Che-Un-Ish-E-Naw-Bay, his x mark, The Big Indian, Warrior of Red Lake.

Neo-Ki-Zhick, his x mark, Four Skies, Warrior of Red Lake.

Nebene-Quin-Gwa-Hawegaw, his x mark, Summer Wolverine, Warrior of Pembina.

Joseph Gornon, his x mark, Warrior of Pembina.

Joseph Montreuil, his x mark, Warrior of Pembina.

Teb-Ish-Ke-Ke-Shig, his x mark, Warrior of Pembina.

May-Zhue-E-Yaush, his x mark, Dropping Wind, Head Warrior of Red Lake.

Min-Du-Wah-Wing, his x mark, Berry Hunter, Warrior of Red Lake.

Naw-Gaun-E-Gwan-Abe, his x mark, Leading Feather, Chief of Red Lake.

Signed in presence of—

PAUL H. BEAULIEU, *Special Interpreter*.

PETER ROY, *Special Interpreter*.

T. A. WARREN, *U.S. Interpreter*.

J. A. WHEELOCK, *Secretary*.

REUBEN OTTMAN.

Mr. DAINES. The Little Shell entered this treaty with other bands of the Chippewa Cree. As well, they all support Little Shell's recognition.

I ask unanimous consent that these letters of support be printed in the RECORD.

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

TURTLE MOUNTAIN,
BAND OF CHIPPEWA INDIANS,
Belcourt, ND, March 17, 2015.

Re Support for S. 35 the Little Shell Restoration Act of 2015.

Chairman JOHN BARRASSO,
Senate Committee on Indian Affairs,
Washington, DC.
Vice Chair JON TESTER,
Senate Committee on Indian Affairs,
Washington, DC.

CHAIRMAN BARRASSO & VICE CHAIR TESTER: The Turtle Mountain Band of Chippewa Indians (''Turtle Mountain Band'') supports S. 35 the Little Shell Restoration Act of 2015. The Little Shell Tribe of Chippewa Indians of Montana, along with the Turtle Mountain Band and the Chippewa-Cree Tribe of the Rocky Boy's Reservation (''Rocky Boy''), are political successors in interest to the Pembina Treaty of 1863. Unfortunately, unlike Turtle Mountain and Rocky Boy, the Little Shell Tribe has lacked formal federal recognition. This is an historical injustice that must be remedied. S.35 would restore federal recognition to the Little Shell Tribe so that it may take its rightful place next to its sister tribal nations.

We urge the Senate Committee on Indian Affairs to support S. 35 and the federal recognition of the Little Shell Tribe.

Sincerely,

RICHARD MCCLOUD,
Chairman.

WHITE EARTH
RESERVATION TRIBAL COUNCIL,
White Earth, MN, April 2, 2015.

Re Support for S. 35 the Little Shell Tribe Restoration Act of 2015.

Hon. AMY KLOBUCHAR,
United States Senator,
Washington, DC.
Hon. AL FRANKEN,
United States Senator,
Washington, DC.

DEAR SENATOR KLOBUCHAR & SENATOR FRANKEN: The White Earth Nation offers its strong support for S. 35, the Little Shell Tribe Restoration Act of 2015. This bipartisan legislation offered by Senator Jon Tester (D–MT) and Senator Steve Daines (R–MT) would restore federal recognition to the Little Shell Tribe of Chippewa Indians of Montana (''Little Shell Tribe'' or ''Tribe'').

The White Earth Nation and the Little Shell Tribe are related, and as Anishinaabe, our stories are intertwined. The Little Shell Tribe is one of several recognized political successors to the Pembina Treaty of 1863. After the treaty the Little Shell Tribe moved west eventually settling in the Territory of Montana. Once in Montana, the Tribe remained landless and unrecognized. However, the White Earth Nation knows the Little Shell Tribe and the merits of their cause and that is why we fully support the Tribe.

I urge you to vote in favor of S. 35 and restore the long-awaited federal recognition to the Little Shell people.

Sincerely,

ERMA J. VIZENOR,
Chairwoman.

THE CHIPPEWA CREE TRIBE,
OF THE ROCKY BOY'S RESERVATION,
Box Elder, MT, November 27, 2018.

Re Support for H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. JOHN HOEVEN,
Chairman, Senate Committee on Indian Affairs,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington DC.
Hon. TOM UDALL,
Ranking Member, Senate Committee on Indian Affairs, Washington, DC.

LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, & RANKING MEMBER UDALL: I write on behalf of the Chippewa Cree Tribe of Rocky Boy's Indian Reservation (''Chippewa Cree Tribe'') in support of our sister tribal nation the Little Shell Tribe of Chippewa Indians and to urge the Senate to pass H.R. 3764, the Little Shell Restoration Act.

The Chippewa Cree Tribe and the Little Shell Tribe share a common history where the United States continually sought to remove us from our lands and push us ever westward. The Little Shell Tribe and the Chippewa Cree Tribe along with the Turtle Mountain Band and White Earth Nation are the political successors in interest to the Pembina Treaty of 1863. This was our first experience with land cessations and westward expansion but it was not our last. Unlike Little Shell, the Chippewa Cree Tribe was fortunate to eventually obtain reservation lands. Unfortunately, for Little Shell there was no money in Washington for similar treatment, which has led them to continue to be unrecognized to this day.

I urge the Senate to finally make right with the Little Shell Tribe and its tribal citizens by passing H.R. 3764. The Little Shell Tribe has waited long enough.

Sincerely,

HARLAN BAKER,
Chairman.

ATTORNEY GENERAL,
STATE OF MONTANA,
Helena, MT, November 27, 2018.

Re Urging passage of H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. JOHN HOEVEN,
Chairman, Senate Committee on Indian Affairs,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington DC.
Hon. TOM UDALL,
Ranking Member, Senate Committee on Indian Affairs,
Washington, DC.

LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, & RANKING MEMBER UDALL: I write to urge the Senate to pass Congressman Greg Gianforte's H.R. 3764, the Little Shell Restoration Act. I have long called on Congress to pass legislation to restore the federal recognition of the Little Shell Tribe of Chippewa Indians and it appears this year presents the best opportunity to finally achieve this goal.

The Little Shell Tribe enjoys broad support in the State of Montana because Montanans, like me, understand the Little Shell Tribe's history and its legitimacy. The Little Shell are an integral part of Montana's history, and an important part of Montana's future. I was encouraged when the House of Representatives passed H.R. 3764 by unanimous consent in September because it shows that Congress is finally listening to the people of Montana when it comes to the Little Shell. I hope the Senate will follow suit and pass H.R. 3764 expeditiously.

Again, I fully support the federal recognition of the Little Shell Tribe and call on Congress to pass H.R. 3764 in its current form.

Sincerely,

TIM FOX,
Attorney General.

OFFICE OF THE GOVERNOR,
STATE OF MONTANA,
Helena, MT, November 27, 2018

Re Support for passage of H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. JOHN HOEVEN,
Chairman, Senate Committee on Indian Affairs,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington DC.
Hon. TOM UDALL,
Ranking Member, Senate Committee on Indian Affairs,
Washington, DC.

DEAR LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, AND RANKING MEMBER UDALL:

I urge the United States Senate to pass Montana Representative Greg Gianforte's H.R. 3764, the Little Shell Tribe Restoration Act. This bipartisan bill will finally right the historical injustice perpetrated against the Little Shell Tribe.

As Governor of Montana, I have continued the government-to-government relationship with the Little Shell Chippewa Tribe as a state recognized tribe. In 2015, I supported the Montana State Legislature's passage of

House Joint Resolution No. 15 in the 64th Legislative Session calling on the ''federal government to restore federal recognition to the Little Shell Tribe of Chippewa Indians'' and asking Congress to pass legislation to accomplish this. If the Senate passes H.R. 3764, Montanans' calls to restore federal recognition to the Little Shell Tribe will finally be answered.

The Little Shell Tribe of Montana enjoys immense support in the State of Montana because tribe's history and culture are the fabric of Montana. The Little Shell deserves the passage of this legislation. It has been long overdue for this recognition and I call on the United States Senate to respect the State of Montana's voice in this debate and move to pass H.R. 3764 in its current form. The Tribe has waited long enough for this action.

Sincerely,

STEVE BULLOCK,
Governor.

Mr. DAINES. The Little Shell is also unique, and all 12 of Montana's Indian Tribes on our seven Indian reservations also support its recognition. The Little Shell also has the support of the entire Montana delegation. It has the support of our Governor, and it has the support of our Attorney General.

Here are their letters.

In fact, Federal recognition of the Little Shell has enjoyed support from the congressional delegation and our State's Governors since the 1930s and 1940s when our country first began to federally recognize Indian Tribes. The American Indian Policy Review Commission, from later in 1977, also recognized its plight as a distinct entity.

There are more documents for the RECORD. Clearly, the record has existed in support of this Tribe's Federal recognition. I remember, during my time in the House, looking at what it had been going through—literally, stacks and stacks of paperwork—in following a process. There is, indeed, longstanding evidence supporting its recognition, and I strongly disagree with my colleague's objection.

The Little Shell Tribe has seen lifetimes—not a lifetime but lifetimes—of neglect from our Federal Government. I had hoped we could finally deliver its recognition here today. We are just one vote short in the Senate. I will not stop pushing for our government to rectify this injustice.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF WILLIAM R. EVANINA

Mr. GRASSLEY. Mr. President, yesterday one of my colleagues came to the floor to talk about my objection to the unanimous consent request relating to the nomination of William R. Evanina.

When I noticed my intention to place a hold on this nominee back in June of this year, I made it very clear to the public and to the administration my reasons for doing so, and I put my statement of those reasons in the RECORD. I have done that consistently, not only since the rules of the Senate require every Member to do that but even before that rule was ever put in place. When I put a hold on a bill or a hold on a nominee, I don't ever want anybody to, say, put the adjective ''secret'' before the word ''hold'' because there is nothing secret about what I do when I place a hold on something.

The Judiciary Committee has experienced difficulty in obtaining relevant documents and briefings from the Justice Department and the Office of the Director of National Intelligence.

For example, Deputy Attorney General Rod Rosenstein personally assured me the Senate Judiciary Committee would receive equal access to information that had been provided to the House Permanent Select Committee on Intelligence with regard to any concessions in its negotiations regarding pending subpoenas from that committee related to the 2016 election controversies. I have not received equal access, as promised, on that front.

On August 7 of this year, I wrote to the Justice Department and pointed out that the House Intelligence Committee had received documents related to Bruce Ohr that we had not received. The Department initially denied those records had been provided to the House Intelligence Committee. After my staff confronted the Department on that misinformation, we eventually received some Bruce Ohr documents.

In that 2018 letter I have referred to, I asked for documents based on my equal access agreement with Deputy Attorney General Rosenstein, and as you might expect, I have not received a response to date.

This morning, I had Acting Attorney General Whitaker in my office for issues he wanted to bring up, but I also had an opportunity to present him with three pages—fairly finely printed—that had a multitude of requests for information that in my constitutional role of oversight of the Justice Department, they should be providing to me. Some of them have nothing to do with this hold, but the Department does have a pretty good record of not responding to this chairman of the Judiciary Committee on things I have a constitutional responsibility to do.

I also have a promise from these Department heads that they will supply information when Congress asks for it. Since that 2018 letter, I have learned the Justice Department has taken the position that Director Coats has prohibited them from sharing the requested records with the committee.

In addition to the records that were requested in May of this year, the Director of National Intelligence and the Justice Department provided a briefing in connection with a pending House Intel subpoena to which no Senate Judiciary Committee member was invited. Thus far, the committee's attempts to schedule any equivalent briefing have been ignored. The administration's lack of cooperation has forced my hand. So then, I continue to press for this hold on this nominee.

My objection, if there were ever a request for a unanimous consent to move ahead, is not intended to question the credentials of Mr. Evanina in any way whatsoever. However, the executive branch must recognize it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner.

INTERNATIONAL TRADE

Mr. GRASSLEY. Mr. President, now I would like to speak to the issue and several issues that deal with international trade.

During the last 2 years, there has been more talk about international trade in this town than at just about any other point since this President has been President or, you might say, over a long period of time in Washington.

When I was elected to the Senate in 1980, the General Agreement on Tariffs and Trade, known as GATT, was the main guiding document on international trade. GATT was signed by 23 nations in Geneva on October 30, 1947, a little more than 2 years after the destruction of World War II. It remained the institutional foundation for global trade until January 1, 1995. That day is when the World Trade Organization—we refer to it as WTO—was born with 81 charter members, including this great country of the United States. The WTO has been in place now for 24 years, serving as the clearinghouse for our rules-based international trading system.

Since the start of the WTO, international trade volumes have increased by 250 percent. Countries representing 98 percent of global merchandise trade are currently members of the WTO, with 22 more countries officially working toward joining. Over all, the WTO is moving global commerce forward just as planned. The rules-based trading system it promotes has been very successful, integrating people across the world into the global economy.

I also must acknowledge that international trade can, at times, be disruptive. There are regions of the country that have been disproportionately impacted by job losses, at least in part, to foreign competition over the last several decades. Those losses become especially problematic when they are the result of market forces being overwhelmed by foreign government intervention—any foreign government, as far as that is concerned. President Trump has rightly pointed that out and has delivered on his promise to make trade fairer for workers across our country, for agriculture and international trade is the bridge to the world's customers.

In Iowa, we export every third row of soybeans. Some people like to say that God made Iowa for the growing of corn and soybeans, and I agree. Iowa also has significant pork and beef exports as well. American farmers produce more than we can possibly consume here in

the United States, so we understand then why the ability to trade and the freer trade, as well, is very important to us. So we rely on global customers. Export markets are and will continue to be vitally important to Iowa's farmers. I will make it a priority, as I resume chairmanship of the Finance Committee. After about 12 years of not being the chairman, I am going to concentrate on gaining access to new markets.

The United States must continue leading the world on trade and economic issues. The U.S. market is one of the most open in the world. Unfortunately, other countries throw up numerous barriers to our exports.

President Trump and Ambassador Lighthizer are working to correct these injustices. I intend to assist them in this fight, with the understanding that creating market barriers of our own, like tariffs, is not a long-term solution.

One of the top issues Congress needs to address next year is implementation of the recently signed United States-Mexico-Canada agreement, which updates NAFTA for the modern economy.

The new trade deal with Mexico and Canada make significant updates to the original NAFTA, with new sections on digital trade, currency manipulation, and State-owned enterprises. It goes further than any other trade agreement in protecting intellectual property rights and makes important changes to market access for agricultural products.

While I commend the President for following through on his promise to renegotiate NAFTA, there are a few areas of concern. Those concerns go beyond just the Canada-Mexico agreement. As long as 232 tariffs on steel and aluminum imports from Canada and Mexico remain, the U.S. farmers and others facing retaliation, along with the American businesses that rely on those imports, will be unable to realize the full potential benefits of the United States-Mexico-Canada agreement.

This is why I urge the administration to consult with Congress, as intended by the trade promotion authority, to ensure a clear path forward for the United States-Mexico-Canada agreement.

I intend to work with members of the Finance Committee and, of course, with the Senate leadership to move the United States-Mexico-Canada agreement quickly in the new Congress as soon as the President submits it. But I can't do it without a strong commitment from the administration that we will work together.

The Constitution tasks Congress with the authority to regulate trade with foreign countries. We collectively—meaning the President and Congress—have a responsibility to ensure that U.S. farmers, ranchers, and businesses face minimal uncertainty from the updating of the United States-Mexico-Canada agreement.

Building on the success of this new agreement, we must continue to play offense and pursue new market access opportunities. That is why I am happy the administration is pursuing new agreements with Japan, the European Union, and the United Kingdom. The economies of those countries account for 27 percent of global GDP. Having more access to those markets will help U.S. farmers, ranchers, and businesses for generations to come.

I expect the agreement with the European Union and with the UK, when ready, to address agriculture. There is some talk that the Europeans don't want to talk about making any agreements on agriculture. The notion that some people in the EU think there could be an agreement that doesn't address the many ways they block our good agricultural products from being sold in Europe is outright ridiculous.

While I agree with the President that we must have fair trade that benefits Americans, I want him to know, as well—and I have told him—that I am not a fan of tariffs. Put simply, tariffs are taxes on U.S. consumers and businesses.

The Constitution grants Congress authority over tariffs and international trade, but Congress has delegated some of its authority to the President through legislation. To some extent, I think, particularly in the 1963 legislation, too much authority was delegated.

I am no novice when it comes to understanding the delicate balance between congressional and executive authority over international trade. In fact, I was the leader in renewing trade promotion authority as the ranking member of the Finance Committee in 2002. In addition to that, and more recently, I strongly supported its renewal under the leadership of Chairman ORRIN HATCH in 2015.

What was important then and remains truer now is that Congress plays a central and pivotal role in crafting trade policy. Our Founding Fathers were very explicit in placing this responsibility with Congress in article I of the Constitution. We must remain vigilant to ensure that the aspects of trade authority that Congress has delegated are used appropriately and in the best interests of our country. I am certainly not opposed to being creative in negotiations with other countries, but I strongly disagree with the notion that imports of steel and aluminum, automobiles, and automobile parts somehow could pose a national security threat, as the President's actions have stated.

So I intend to review the President's use of power under section 232 of the Trade Act of 1962, which grants the President broad legal authority to impose tariffs in the name of national security. Senator PORTMAN and my colleague, Senator ERNST, and others have already introduced legislation to narrow the scope of how an administration can use the power that Congress authorized in 1962 under the influence of the Cold War. Maybe, considering 1962 and the issue of the now-forgotten Cold War, there may have been reasons for Congress at that point to overdelegate power to the President, but I am not sure that those conditions exist today.

I believe these efforts to restrain delegation of the authority to the President serve as a prudent starting point for the discussions we need to have on section 232 authority in the next Congress. The tariffs against products from China that were imposed as a result of U.S. Trade Representatives' findings under section 301 investigations are not ideal, but I do agree with the reasons that have been applied.

The President is absolutely right to confront China regarding section 301 findings. I am glad that he had a successful meeting with President Xi at the G20 summits last month. My hope is that the ensuing negotiations will result in a change in China's discriminatory policies and practices and an easing of tariffs and tensions.

I recommend that everyone read the findings of the section 301 investigation that were published in March of this year. That report outlines in detail many of the ways that China abuses American businesses and workers and steals, or forces the transfer, of U.S. intellectual property. American businesses that are able to access the Chinese market are, as a result of these Chinese policies, often forced to participate in joint ventures with Chinese firms and turn over the details of their technologies. No one can call that a level playing field.

The Chinese claim is that this simply represents the cost of market access. My answer to that is hogwash. That is not how members of the WTO should act. It is an organization you join based upon respect for other people's rights, but the most important thing is to respect the rules of trade.

I voted in favor of China's accession into the WTO. In many ways, I regret that vote. China has not lived up to its obligations or honored its promises, yet it enjoys many of the benefits that come with membership in the WTO.

Part of the reason, in my view, that China gets away with so much is that the WTO systems we rely on have failed and are in great need of reform. The fact that China, the world's most populous country and the second largest economy on Earth, can self-certify as a developing economy—that is a term used in the WTO documents—is extremely frustrating to me. Can you imagine the world's most populous country and the second largest economy in the world is still somehow a developing country?

I know many of my colleagues here in the Congress share that frustration.

I have great interest in the WTO reform process that has begun. Reform and oversight are critical to the proper functioning of institutions. That is true whether we are talking about a Federal agency or the WTO. I will also continue conducting rigorous oversight as chairman of the Finance Committee.

The United States has free-trade agreements in place with 20 countries. One problem we have had with our agreements is that other countries don't always live up to the text and spirit of the agreement they signed. I will work with the administration to hold our partners accountable in order to improve outcomes for American businesses and consumers, but most important to American businesses and consumers is to get the proper respect for the rules of trade that come as a result of the WTO.

In short, the Finance Committee has its work cut out for it and for us on the committee next year. International trade is a force for good. Farmers and businesses in Iowa and across the country have benefited tremendously from international trade and are better off because they can sell their products around the world. I am committed to making sure they have access to open markets with the guarantees of fair treatment and enforceable protections.

JUDICIARY COMMITTEE ACHIEVEMENTS

Mr. GRASSLEY. Mr. President, I now would like to go to a final set of remarks—probably the final set of remarks for this Congress as we draw to a close—to summarize some of the work of the Judiciary Committee, as I have been chairman for the last 4 years.

I have served on the Judiciary Committee for each of my 38 years in the Senate. Four years ago, I became chairman. Senator LEAHY, my colleague from Vermont, who served as chairman before I took the reins, marked the occasion by presenting me with a larger than life gavel. Of course, that was a lighthearted moment, and I appreciated his gesture of good will and collegiality. It is this spirit of camaraderie that sustains the Senate and has guided the bipartisan accomplishments of the Judiciary Committee.

The work we do on the Judiciary Committee shapes our way of life in America to a great extent. Its legislative jurisdiction includes constitutional amendments, bankruptcy laws, civil liberties, immigration, patents, copyrights and trademarks, antitrust laws, juvenile justice, criminal laws, and more. The committee conducts oversight of the Justice Department, including the FBI and sections of the Homeland Security Department. It also handles consideration of judicial nominees.

As chairman, I put forth a number of legislative priorities. I wanted to increase oversight efforts to hold government accountable and advance judicial confirmations. I wanted to strengthen whistleblower protections and increase competition in the pharmaceutical markets to lower the cost of prescription drugs. I wanted to enact juvenile justice reform and update our criminal justice system. I wanted to protect election integrity and bolster victims' rights. At the close of this Congress, I am happy to report that the committee has made progress in all of these areas.

This week, the Senate passed the FIRST STEP Act, a historic criminal justice reform bill that had overwhelming bipartisan support in Congress and the backing of the President.

Earlier this month, the Senate unanimously passed bipartisan juvenile justice legislation, which legislation hadn't been updated since 2002.

The Elder Abuse Prevention and Prosecution Act, the Missing Children's Reauthorization Act, and Kevin and Avonte's Law to help families locate people with dementia and others who wander and go missing all became law during the 115th Congress.

Overall, 61 bills were reported out of committee, all of them bipartisan. Of those bills, 45 were passed in the Senate, and 29 became law in the past two Congresses under Presidents Obama and Trump. And if the House passes our criminal justice reform bill today, that figure will be 30 bills that have gone through Congress. Again, I want to emphasize that all were bipartisan.

The committee also delivered on judicial nominees. This wasn't so bipartisan. The Senate confirmed a historic number of lifetime appointments to the Federal bench this Congress. That includes 53 district court judges, 30 circuit court judges, and 2 Supreme Court Justices—85 Federal judgeships in the last 2 years. This reflects an alltime record for the first 2 years of any Presidency. These lifetime appointments will uphold the rule of law and preserve freedom and liberty for generations to come.

These accomplishments weren't easy. There was contention, and there was rigorous debate and, as I said, plenty of disagreement.

The confirmation hearing for Justice Brett Kavanaugh was the height of discord on the committee. As chairman, I was determined to uphold order and the rule of law, protect due process, and maintain credibility in our constitutional responsibility of advice and consent. I took the allegations that were brought forth very seriously. The committee conducted the most thorough, comprehensive, and transparent confirmation process in history. And if that word ''history'' bothers you, it is numerically justifiable by saying that we had more documents on Kavanaugh than we had on the previous five Supreme Court Justices combined. So I hope, after half a million documents, it is shown that we left no stone unturned. In the end, another extremely well-qualified Justice was confirmed.

However, the divisions that defined the Kavanaugh hearings do not define the body of work produced by the committee this Congress. The Judiciary Committee passed seven bipartisan bills to help families, healthcare professionals, and law enforcement address the opioid crisis in their local communities. The President signed these measures into law with the SUPPORT for Patients and Communities Act. We also passed the Comprehensive Addiction and Recovery Act in 2016 to rapidly respond to the opioid crisis and prevent others from falling into addiction.

With hearings and legislation, the Judiciary Committee also worked toward ending the pervasive problem of human trafficking. In all, the Senate adopted a series of five bills that were signed into law to enhance Federal efforts to protect victims and prevent and prosecute enslavement for forced labor and sex trafficking.

As a committee, we have made great progress on behalf of the American people. We tackled the priorities I outlined at the beginning of my chairmanship and achieved success on a bipartisan basis. That is what our constituents expect from those of us who are Senators. That is what I strive to deliver every day.

The 115th Congress is drawing to a close. Although I won't serve as chairman during the next Congress, I have every confidence that my friend Senator GRAHAM of South Carolina will build upon the successes we have accomplished. I look forward to continuing my service on the Judiciary Committee in the next Congress, and I am thankful to all of my colleagues on the committee and even some off the committee for their hard work and cooperation on behalf of the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

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

SYRIA

Mr. MENENDEZ. Mr. President, yesterday, Christmas came early to the Kremlin. First, we have President Trump's announcement to pull our troops out of Syria. Second, the administration wants to delist three companies controlled by Oleg Deripaska, though, I am not sure he has adequately relinquished control of those companies. Third, the administration has done nothing to respond to Russian aggression in the Sea of Azov and the Kerch Strait. This is a trifecta for Vladimir Putin and sends a global message that creates real concerns. Christmas has indeed come early to Moscow.

The Trump administration's withdrawal from Syria lacks any strategy, is foolhardy, and it puts U.S. security in the Middle East—including our ally, the State of Israel—at great peril. This is not simply an error. It is dangerous. It is dangerous.

Let me be clear. Withdrawal from Syria without success is failure. American credibility will take a horrible hit

if the President moves forward with this decision.

As a country, we have said that Assad, who has butchered his people, cannot stay in power. Assad is likely to stay in power into the foreseeable future. Second, we have said we cannot leave Syria because we have strategic interests. By leaving, and doing so precipitously, the President is willing to leave these strategic interests in the hands of Iran and Russia, and Moscow will be given a solid foothold in the Middle East—something it has aspired to for some time, and now it will happen. It will have developed bases there, and it will have unfettered determination as to what to do.

Third, this move will strengthen Iran's ability to attack Israel.

We are entering a very dangerous time, as it is increasingly clear to all—including many of my Senate Republican colleagues and especially our international allies and adversaries—that this President is completely incapable of addressing our security challenges. Only in Donald Trump's parallel alternate universe has ISIS been defeated. There is no one who would suggest that is reality at this point. We have made gains, and we have had successes, but they have not been defeated.

His erratic decision making indeed poses a great threat to our security interests.

Trump tweeted that Russia is ''not happy'' about his decision to withdraw our forces from Syria. Well, I guess he missed President Putin's end-of-the-year press conference where, in his own words, he showed this morning that Russia is indeed thrilled with this abdication of U.S. leadership.

I worry that we are sending the wrong global message, as well, if this plan is executed. The Kurds have been the most significant fighting force on our behalf and in our interest in Syria. They have been our partners. By pulling out, we are abandoning them. Turkey will come in and seek to destroy them. They will be hit not only by Turkey, they will be hit by Assad, and they will be hit by others.

Imagine the message that sends to other potential partners around the world. For those to whom we say ''Fight with us, fight for us, instead of sending our sons and daughters,'' the message is ''Once the United States is done using you, we will abandon you.''

We can't afford that message. In any other place in the world where we want people to fight with us or for us and carry the burden of being on the frontlines so that our sons and daughters are not in harm's way, they are going to look at this moment and say: No way. They will say: The United States will abandon us. They will say: The United States will leave us on the battlefield to die.

As someone who has voted against the deployment of U.S. troops elsewhere, I don't take these issues lightly. I want our sons and daughters to come home as soon as possible. But by withdrawing these forces now with no strategy, the United States is placing our security and that of our allies at grave risk, and the sacrifices that have been made by our troops will be lost.

Russia has entered into this war in Syria with an unholy marriage with Iran—yes, to prop up Assad, but also, for Iran, it was to gain a tactical vantage point on Israel's northern border. Our withdrawal leaves a vacuum that Iran will fill, putting Israel at even greater risk.

To believe that we can outsource our allies' interest to Russia and that Russia will tell Iran to leave now, in Syria, is ridiculous. Iran is not a simple agent of Russia in this regard. Iran has shed its own blood and national treasure in pursuit of its interests, both to prop up Assad and to have a vantage point on the northern border with Israel—another place to strike at Israel. It is not going to give that up simply because Putin says to leave. Anyone who believes that has a clear misunderstanding of the realities of this relationship.

Completely withdrawing the United States from Syria at this moment with no strategy in place signals to the region and to the world that we are willing to cede our interests to Putin, to Iran, and to others who will exploit this leadership vacuum.

In addition, President Trump has been silent in the face of egregious behavior from Saudi Arabia, a behavior that this Chamber spoke to in a unanimous way.

He has no strategy for securing our interests around the Middle East or the world. It is all too clear who is winning.

The Kremlin attacked Ukranian ships and captured Ukranian sailors nearly a month ago. Those vessels and sailors remain in Russian hands. They are hostages—hostages—who were taken at the high sea in international waters in violation of international law. And what has the administration done—canceled a meeting with President Putin?

It canceled a meeting; that is it. It hasn't rolled out new sanctions on those responsible for the attack. It has not increased U.S. and NATO presence in the Black Sea in order to preserve international maritime passage for all. It has not announced new security assistance for the Ukrainians.

One month has passed, and President Putin has felt zero pressure—zero pressure—on any of these actions or to release these sailors. There is zero pressure to ease the tensions in the Kerch Strait and zero pressure to negotiate an end to the war in the Donbass or to return Crimea to the Ukraine.

In fact, Putin seems quite at ease. His yearly press conference earlier today was a victory lap. He is already prodding President Trump, welcoming the evacuation from Syria, and calling for President Trump to stand by his campaign commitment to also withdraw from Afghanistan. He is doing it purposely to see if he can elicit the same reaction he has elicited in Syria.

This retreat has left Vladimir Putin with a glow of victory. He is winning in Syria; he is winning in Turkey; he is winning in the Ukraine; and Trump wants to take our players off the field. And this misguided withdrawal from Syria drives that point home.

Putin's control of Trump came into sharp focus yesterday, and I urge our Republican colleagues to see this for what it is. The small price that Putin paid to interfere in our national elections has paid off in Syria; it has paid off in Ukraine; and the American people are paying the ultimate price.

This is a dangerous time, and our security lies in the hands of a President who, I will respectfully say, is clearly not up to the task.

I have called on this administration and the last to develop and present and execute a clear and comprehensive strategy to promote our interests in Syria. This means a comprehensive strategy to counter Iran and its proxy networks, which, from Hezbollah to the Houthis, have grown only stronger as this administration continues to bungle its way through one foreign policy crisis to the next.

The President has the opportunity to reverse course and avoid a spectacular failure. He should listen to his military and national security advisers, none of which—none of which—ultimately recommended this course of action. He should listen to our allies, none of which have recommended this course of action.

He should invest in alliances and international institutions that multilateralize and strengthen our reach across the globe.

He should listen to this bipartisan chorus from Congress. There have been voices on both sides of the aisle here who have said: Change course. This is a grave mistake. He has an opportunity to avoid a grave mistake.

I will repeat what I said earlier today at a press conference with Senator GRAHAM and Senator REED: Withdrawal from Syria without success is failure. Simply withdrawing is not a success. Withdrawing without honoring the sacrifices that have been made by our troops there, without honoring the sacrifices that have been made by our allies there, like the Kurds, without recognizing the enormous civilian casualties that will take place in the aftermath, without recognizing that we will leave a void for other particularly nefarious entities to ultimately fill that void, without recognizing that we create a risk for our ally, the State of Israel and its northern border, without recognizing that at the end of the day, our strategic interests will be totally lost in this regard, is indeed a great failure.

I hope the President takes this opportunity to change course, to listen to his national security and military advisers and to the chorus of bipartisan

voices in the Senate, including those of us who are engaged in national security questions, whether it is I, as the senior Democrat on the Senate Foreign Relations Committee, or Senator REED, as the senior Democrat on the Armed Services Committee, or Senator GRAHAM, who sits on Armed Services and is the chair of the Subcommittee on Foreign Operations of the Appropriations Committee. These are bipartisan voices, among others, who are making it very clear that this is a grave mistake. We have a chance not to make that grave mistake and the consequences that flow from it.

I yield the floor.

Mr. MENENDEZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PERDUE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CASSIDY). Without objection, it is so ordered.

THE BUDGET DEFICIT

Mr. PERDUE. Mr. President, as we come to a close of the 115th Congress, this will be my last speech in this Congress. It is an honor to be in this body. It is a privilege that I take very seriously, as I know the Presiding Officer does as well.

Today, I come to talk about a topic that I told this body in my maiden speech was the reason I ran for the Senate, and at the end of each year, I try to remind us all of where we are on this topic—the financial crisis that the United States faces today. It is intertwined with the global security crisis that we heard about in a speech just a minute ago. They are very much interrelated.

Today, we have $21 trillion in debt. What makes that so important is that just this week, just recently, the Federal Reserve increased the Fed fund rate one-quarter point. To most people, that really doesn't sound like a big deal, but this is the ninth increase in just the last couple of years. Just this one-quarter point increase means $50 billion of new interest that the Federal Government is obligated to pay each year, every year. Over the last couple of years, those nine increases together represent a 2.25-percent increase. So that 2.25 percent increase in the interest rate means an additional $450 billion of new interest expense liability the Federal Government has incurred over the last couple of years. To put that in perspective, we only raise about $2.2 trillion in total Federal income tax. We spent about $700 billion on our military and only $200 billion on our veterans.

This is a train wreck, and it is a crisis of full proportion. Yet here we were just last night passing our 186th continuing resolution since 1974 when the Budget Act of 1974 passed. That is one of our problems. Combine that with 8 years of lethargic economic productivity, and you end up with a burgeoning debt crisis.

It is projected by the Congressional Budget Office that, at current interest rates, with no other interest rate increases, the interest on the debt will grow—by 2023, just 5 short years, we will be spending more on just interest than we will on national defense. That cannot happen. The world bond markets probably won't let that happen. And here we are in 2018.

How did we get here? In 2000, at the end of the Clinton administration, this country had $6 trillion of debt. In 2008, at the end of President Bush's administration, we had $10 trillion of debt. In 2016, at the end of President Obama's tenure, we had $20 trillion of debt. In that 8 years, America added more to the debt than all other Presidents combined prior to 2008.

Today, the rate of growth continues. We are at $21 trillion. In my office, we have a debt clock that actually shows real time how this debt clicks forward every day, every minute. It is a sobering thing to watch because this is a legacy we are giving to our children and our grandchildren, and there is no reason to let this go forward. We can solve this today.

Under the Obama administration, over those 8 years, the Federal Government borrowed a little less than 35 percent of what it spent as a Federal Government. Let me say that again. It borrowed almost a third of what it spent. To put that in perspective, the discretionary part of our budget—we spend about $4 trillion a year, including all of our mandatory expenses, but only 1.3 of that 4.3 is discretionary. Discretionary spending is about 25 percent. So if you are borrowing 33 percent and your discretionary spending is 25 percent and all of your first money that comes in goes to pay for the mandatory expenses—like a car payment, a house payment, insurance payments—automatically deducted, that is exactly what happens in the Federal Government. What we have is a situation where every dime—during those 8 years—of discretionary spending was by definition borrowed money.

Today, we are not borrowing quite that much, but the problem continues that most of our domestic discretionary spending is borrowed money. This is not lost on leaders around the world. Our near-peer competitors in Russia and China pay attention to this. They saw we cut our military spending over those 8 years ending in 2016 by 25 percent. That is one reason we see a very active China right now in the South China Sea. It is also why we see Russia being very active in the Middle East. It is because of our inactivity and our withdrawal from the global stage, and that was driven largely by the political position that administration was in at the time, but I also believe it is because of the Federal crisis we have relative to our national debt.

Today, if you look at the sources of our income and the uses of that income and our expenses, just on the Federal budget side, we raise about $2.2 trillion.

The first three line items that we dedicate money to or allocate money to is a subsidy for the Social Security trust fund. Now, this is the first year that has really happened. It was never supposed to happen. The trust fund was supposed to sustain itself forever, indefinitely. It was supposed to be self-sustaining.

The second item is the Medicare trust fund. Now, the Medicare trust fund has to be subsidized by the general account of the Federal budget.

The third is this unlimited entitlement we have called Medicaid under the Affordable Care Act. It is an unlimited expense depending on what different Governors decide to do and what the Federal Government has to do in terms of matching funds that go to those States.

Those three line items—just those three—account for more than 50 percent of all Federal income tax dollars we collect—over 50 percent.

The Social Security trust fund is projected to go to zero—the balance in that trust is supposed to go to zero in 12 years. The Medicare trust fund is supposed to go to zero in 8 years. This is a situation that is exploding before us. Discretionary expenditures have leveled out. Those are being fairly controlled. What is not being fairly controlled are all the mandatory expenses—the Social Security, expense of Medicare, Medicaid, pension benefits for Federal employees, and the interest on the debt. The fastest growing of all that is the interest on the debt, as I mentioned earlier. We have added $450 billion of new interest expense just in the last 2 years.

I believe there is a way forward. We have been talking about it. President Trump said job No. 1 when he got elected was growing the economy. Why? Well, one of the benefits—we put people back to work, we have confidence going again, and we get the economy going, but it also raises more dollars for the Federal Government.

The Congressional Budget Office said that if we grow the economy 100 basis points more than we were growing during the Obama administration, which was only 1.9 percent over 8 years, that that 1 percentage point of growth adds $300 billion a year. Well, we are growing much faster than that now. We are growing at almost twice the rate. The GDP is growing at almost twice the rate it grew during the Obama administration. What that means is that we have lowered the curve over the next decade of this debt cycle—this ever increasing debt cycle—we have lowered the curve by as much as $3 trillion, by some estimates. That is the first step.

The second step is this budget process we are working on to try to fix it. We formed a joint select committee this year of equal numbers of participants from Republican to Democrat,

House and Senate. While we didn't pass a bill coming out of that exercise, we did agree on several things that will allow us to avoid putting pressure on the end of the year that leads to these continuing resolutions and these omnibuses that are generating more and more debt.

The third thing is, we are done with Agencies' excess spending. This year, the Department of Defense has provided—the first ever in U.S. history—its own internal financial audit. There was a law written in 1981 that said this was required, but nobody has ever forced that to happen. Secretary Mattis and President Trump have forced that to happen. Over the next couple of years, we will be digesting exactly what they are finding in that internal audit. We can't get a turnaround if we don't know what is going on with the outflows, and that is exactly what we are doing in the Department of Defense.

So make this known, that President Trump says: Yes, we have increased spending to get our readiness back, to recap our military, and to develop the capability we need to protect this country. But at the same time, he is holding the Department of Defense accountable for every single red cent it spends, and the first step of that is this internal audit.

As a member of the Armed Services Committee and the Budget Committee—this is in the wheelhouse of those two committees, and I can state that every single member, Democratic and Republican, is interested in that audit and how it can make us much more productive and efficient in terms of how we spend taxpayer money.

The fourth is, after 8 years of arguing about the healthcare insurance plans for the individual market, which is about 21 million people, we need to start talking about the underlying cost drivers of our spiraling healthcare costs.

Lastly, the fifth and final thing we have to do to address this debt over the next 20 to 30 years is that we immediately have to save the Social Security, Medicare, and Medicaid Programs for our recipients who need those benefits, but we also have to secure them for the future.

There are solutions out there. That is the good news today. The bad news is, yes, the spiraling debt is still with us. It is absolutely the No. 1 threat to our national security; there is no doubt about that. I believe that, and Secretary Mattis believes that. Prior Chairmen of the Joint Chiefs of Staff believe that. We have to get the political will to face the American people and to tell us all that we have to have a plan over the next 20 or 30 years that will absolutely bring this back into reason.

One of my great colleagues in this body, a Democrat, Senator SHELDON WHITEHOUSE from Rhode Island, has an idea to go out in the future and pick a certain date, agree on the debt as a percentage of GDP, and then move backwards with a guardrail plan on a roadmap to today to allow us to get there over time. I am in full support of that. He has been a big ally in this effort to rein in the debt and to develop a budget process that is sensible.

Mr. President, it is clear to me that after 4 years in this body, we have made some progress on this but not nearly enough. In 6 short years, one of our major trust funds, one of the major pillars of our social safety net system, the Medicare system—that trust fund goes to zero.

We deserve better than this. Democrats and Republicans both agree on that. What we have to do now is translate that into cooperation on this floor this next year; to talk about compromise, to find ways to get through the extreme positions this town and the media really encourage us to take.

Behind the scenes—behind that door right there—you know and I know we talk in a different way than we do when we are in front of the media. I believe, behind that door right there, lies the solutions to most of these problems, where we can be cooperative and find common solutions to these problems.

The last thing I will say is this. This country is not bankrupt. We have about $130 trillion of future unfunded liabilities. If you just look at the next 30 years, that is true. Fortunately, though, on the other side of the balance sheet, we have some people estimate well more than $250 trillion of assets.

The question is, Do we have the will to address the debt problem over some reasonable period of time using our assets and our productive capability to make this country stable and financially strong again? Not only do the citizens of the United States deserve this and need this, the rest of the world needs us. We are the most philanthropic country in the history of the world. Yet that is jeopardized by this intransigence that continues in this city.

I am an optimist, and I believe we will solve this. We have a good many new Members coming into this body next year—some great Members who are retiring—but it is time this moves up in our priority chain, where this is the No. 1 crisis that we begin to deal with.

I believe the best days of America are ahead because this problem has solutions, and we have plenty of resources to do it. It just depends on the political will.

Let me say this too. I believe, with a Democratic-controlled House, a Republican-controlled Senate, and a Republican in the White House, the American people have sent a message to Washington saying: OK, guys, it is time. This is one of the priorities.

We will see in this next year if the House decides to legislate or they decide to investigate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECESS

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the chair.

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

Thereupon, the Senate, at 4:05 p.m., recessed until 6:09 p.m. and reassembled when called to order by the Presiding Officer (Mr. YOUNG).

TRIBUTE TO ORRIN HATCH

Mr. LEAHY. Mr. President, as a President pro tempore emeritus, I would like to recognize the retirement of the Senate's current President pro tempore, Senator ORRIN HATCH. Senator HATCH and I have both had the privilege of representing our constituents for more than four decades. He has fought for the interests of Utah and his constituents throughout his career.

Senator HATCH has shown a commitment to his beliefs. As both a chairman and ranking member of the Judiciary Committee during my tenures in both posts, we have had more than one occasion to partner, to spar, and to share a laugh. Once we even exchanged ties. I gave him a Jerry Garcia one, and he gave me a Rush Limbaugh tie.

He will be remembered here in the Senate as a respected colleague.

I wish Senator HATCH, his wife, Elaine, their six children, and all his family the best.

TRIBUTE TO BILL NELSON

Mr. LEAHY. Mr. President, Senator NELSON is the only Member of this body to see the Earth from space. Perhaps that is why he has been a champion of our environment, our climate, clean air and water, both here in the United States, and for the entire planet.

Senator NELSON has said that seeing our little planet suspended in the infinity of space imparted him ''with a profound sense of obligation to become a better steward for our planet Earth.'' He has never shirked that obligation. Whether urgently warning about the dangers of a quickly warming planet or about the importance of conserving wildlife and our natural spaces, Senator NELSON has long understood that the health of our children and grandchildren depends on our responsible stewardship of our planet today. What is more, Senator NELSON understands that confronting climate change is not

only good for the planet but crucial for his constituents. Florida has already begun to feel the effects of extreme weather made worse by warmer temperatures, and Senator NELSON's work on the issue reflects his deep commitment to Floridians.

In addition to his global outlook, Senator NELSON has shown his willingness and ability to accomplish small changes that can have big benefits for his constituents. In the aftermath of horrific shootings in Florida, he didn't just offer condolences to the victims; he got to work to call attention to gun violence, and he issued calls to action. He partnered with me to introduce legislation that would give law enforcement agencies the tools they need to modernize efforts to combat gun violence. The small technical fix in this legislation—allowing the ATF to digitize its records—would make a world of difference to police trying to solve crimes across the country. I wish his calls to action, like so many of ours, were heard by Congress.

Senator NELSON has devoted his career to public service, and his role in elected office started back in the Florida House of Representatives in 1972. Since then, he has faithfully represented the State of Florida, and we have been fortunate to have him here in the Senate. I am sad to see him go, and the Nation will miss his strong voice on environmental issues. I wish Senator NELSON and his wife, Grace, the best.

TRIBUTE TO BOB CORKER

Mr. LEAHY. Mr. President, BOB CORKER is a businessman. He is a husband, a father, and a grandfather. He is a U.S. Senator. But at his heart, he is a Tennessean.

Senator CORKER's success in business has translated into a successful Senate career. In these uncertain times, where diplomacy sometimes seems reduced to a tweet or a hashtag, Senator CORKER has shown a willingness to refuse to compromise American values for political expediency. Most recently, I was proud to join him and other Senators in sending a letter that triggered an investigation under the Global Magnitsky Human Rights Accountability Act to determine if Saudi officials are responsible for the murder of journalist Jamal Khashoggi.

Senator CORKER also recognizes that reducing nuclear weapon stockpiles is an important step to a more peaceful world, and he was just one of 13 Republicans to vote for the New START treaty.

I thank Senator CORKER for his service here in the Senate and wish him and his wife, Elizabeth, well.

TRIBUTE TO CLAIRE MCCASKILL

Mr. LEAHY. Mr. President, Senator MCCASKILL has left an indelible mark on the Senate. A former prosecutor in Missouri, she brought the fight to protect the most vulnerable in her State and across the country to her work here in the U.S. Senate.

Her work to preserve the Affordable Care Act and protect victims of sexual harassment and violence speak to the depth of her convictions. She has also shown great talent safeguarding our Nation and holding our government accountable as a former chair of the Senate Homeland Security and Governmental Affairs Committee and as a member of the Armed Services Committee.

Senator MCCASKILL has fought hard to protect college students from sexual harassment and assault on campus. Senator MCCASKILL has even spoken of the sexual harassment that she herself faced as a young woman in the Missouri State Legislature. Long before the Nation began talking openly about the extent of sexual harassment and assault across all sectors of our society brought into the open by the #MeToo movement, Senator MCCASKILL prepared a report on the extent of sexual harassment and assault on college campuses. But Senator MCCASKILL has never been a woman content with report-writing; she introduced a bill to help address the issue. And when the Senate didn't move on that bill, she worked directly with colleges, holding public roundtables to call attention to the issue.

That is a just a glimpse of the determination that Senator MCCASKILL brings to all of her work on behalf of her constituents. She is a straight shooter. In the face of misinformation campaigns about the Affordable Care Act, Senator MCCASKILL has always stepped up to promote the truth. I have always admired her commitment to preserving that law that helps so many of her rural constituents.

As a former chair of the Senate Homeland Security and Governmental Affairs Committee, and a member of the Senate Armed Services Committee, Senator MCCASKILL has dedicated much of her Senate service to keeping our country safe. I greatly appreciated her support for my National Guard Empowerment Act, which finally gave our National Guard the tools it needs to protect our Nation and take care of its members.

I will miss Senator MCCASKILL's tenacity, and I am sure that Missouri and the Nation will too. Missouri is losing a champion in the Senate. Marcelle and I wish her, her husband, Joe, and her family the very best in this new chapter.

TRIBUTE TO DEAN HELLER

Mr. LEAHY. Mr. President, Senator DEAN HELLER may have been a freshman Senator when he came to this body in 2011, but he was not short on experience. First elected as a Nevada assemblyman in 1990, Senator HELLER has served in government ever since.

During his Senate tenure, Senator HELLER has shown a great interest in protecting American's data privacy, and he was an important partner in our efforts to pass the USA FREEDOM Act. He was a staunch advocate of that bill, even when many in the Senate were pushing for expanded surveillance powers over Americans. Both of us recognized that though the bill may not have included every provision we wanted, the best way to offer privacy protections was through compromise.

While his tenure here was brief, I have appreciated getting to know Senator HELLER and working with him on issues of great importance. I wish Senator HELLER, his wonderful wife, Lynn, and their four children the very best in this next chapter of their lives.

TRIBUTE TO JEFF FLAKE

Mr. LEAHY. Mr. President, I know that Senator JEFF FLAKE believes, as I do, that the Senate at its best can be the conscience of our Nation. Lately, I believe the Senate has been less than that. In the closing months of his tenure in the Senate, however, Senator FLAKE has spoken about his hopes for this body and for our Nation. What is more, throughout his tenure, he has on many occasions reached across the aisle to bridge the partisan divide for the good of the Nation.

When I first approached Senator FLAKE about joining me in visiting Cuba, he was willing to come with an open mind. He recognized the failure of the continuing U.S. embargo, and his partnership helped us create a new path forward that culminated in the release of Alan Gross, an American long imprisoned in Cuba, and restored diplomatic relations between our two countries. The few minutes on the tarmac in Cuba while we waited to bring Mr. Gross back home after 5 years in captivity are some of the most meaningful minutes of my life. Senator FLAKE's partnership helped lead to that moment.

While the release of Alan Gross was the most dramatic event in U.S.-Cuban relations in a generation, Senator FLAKE has also partnered with me on initiatives to encourage Cuban entrepreneurs, open Cuban markets to American farmers and agriculture, and boost the Cuban Government's respect for human rights. His assistance from across the aisle has been helpful in shining light on the more than 50 years of failed policy toward this small island neighbor.

I have also watched with admiration JEFF's commitment of the last month in protecting one of the most pivotal national security investigations in our Nation's history—the special counsel's investigation into Russian interference in our elections. The security and sanctity of our elections is a cornerstone of our democracy. As he rounds out this chapter of his career, Senator FLAKE's stance and insistence that the Senate act to protect the work of the special counsel has been laudable.

I will be sad to see Senator FLAKE leave, and the Senate will be losing an

independent voice willing to pursue bipartisan progress. That is a voice that is needed now more than ever. I will miss working with my friend here in the Senate, and Marcelle and I wish JEFF and Cheryl all the best as they begin a new chapter.

TRIBUTE TO JOE DONNELLY

Mr. LEAHY. Mr. President, I would like to take a moment to recognize the career and service of Senator JOE DONNELLY. Senator DONNELLY has spent more than a decade steadfastly representing the State of Indiana in both Chambers of Congress. He has resisted labels and rigid partisanship, consistently proving that he is open to any policy solutions that benefit Hoosiers.

I have been particularly moved by Senator DONNELLY's commitment to defending fairness in the workplace. He has fought for sustainable minimum wages and helped pass crucial protections for victims of pay discrimination. His work in Congress has made the workplaces of Indiana and the Nation fairer.

I was proud to work with Senator DONNELLY in 2015 to expand the resources available to victims under the Violence Against Women Act. We have also worked together to pass legislation to ensure that law enforcement have access to funds to purchase adequate body armor.

Senator DONNELLY's presence and his desire to bridge partisan divides will surely be missed in this Chamber. I know he will continue to do all he can to serve Hoosiers and our Nation, and I wish him and his wife, Jill, all the best.

TRIBUTE TO HEIDI HEITKAMP

Mr. LEAHY. Mr. Preident, you wouldn't guess it, but North Dakota and Vermont are more alike than they are different. Both depend on agriculture and small businesses to support rural communities. Likewise, Senator HEITKAMP and I are not all that different: We are both natives of our States, and we both are committed to working across the aisle to get things done.

Before running for the Senate, Senator HEITKAMP served as North Dakota's attorney general, where she worked to keep communities safe, much as I did as State's attorney in Vermont before I first ran for the Senate. One of her biggest achievements as State attorney general was forcing the tobacco industry to tell the public the truth about the health risks of smoking, and securing a settlement of $336 million in damages for North Dakota taxpayers.

Senator HEITKAMP was a strong cosponsor of the Violence Against Women Reauthorization Act of 2013. We worked together closely to include provisions to protect Native American victims of domestic violence, human trafficking, and sexual assault. These protections were sorely needed, and it was an honor to fight with her for their inclusion. She also introduced and helped usher into law the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act, which works to ensure that Native children and families have access to critical economic and educational resources.

North Dakota, like Vermont, struggles with affordable housing and a rural housing shortage. As a member of the Senate Committee on Banking, Housing, and Urban Affairs, Senator HEITKAMP worked to help families achieve stable housing. She sought housing finance reform and relief for community banks and credit unions, giving more rural families access to the economic tools they need to thrive.

Senator HEITKAMP and I have served together on the Senate Committee on Agriculture, Nutrition, and Forestry, working most recently to pass a comprehensive and bipartisan farm bill to support the hard work of our farmers, who are the backbone of our rural communities, and to address nutrition and food insecurity challenges across the country and abroad. Senator HEITKAMP has been committed to ensuring we invest in our rural infrastructure and business development, and North Dakota is stronger for that.

Senator HEIDI HEITKAMP has been a tireless champion for the people of North Dakota for longer than just her term in the Senate, and although I will miss her, I know she will continue to serve her State in other ways for years to come. Marcelle and I wish her and Darwin the very best.

SYRIA

Ms. KLOBUCHAR. Mr. President, I rise today in response to the President's announcement on the withdrawal of troops from Syria.

Like many of my colleagues from both sides of the aisle, I am deeply concerned that prematurely withdrawing American troops from Syria is contrary to the advice of senior national security officials and that the President's announcement will have negative consequences for our country's national security interests. I am also concerned about the implications of U.S. withdrawal for the security of our allies and for innocent civilians in Syria.

Since August of this year, the Secretary of Defense, Secretary of State, and National Security Advisor have all suggested that the Syrian conflict requires sustained U.S. commitment. Just last week, the administration's Special Presidential Envoy for the Global Coalition to Defeat ISIS said that ''we can't just pick up and leave'' Syria. This week, the U.S. Special Representative for Syria Engagement said that the U.S. would remain in Syria until the U.S. achieves three objectives: ensuring the defeat of the Islamic State, reducing Iranian influence, and reaching a political solution to resolve the crisis. The President's announcement contradicts the advice of our diplomats and military leaders and fails to address these issues.

These concerns are shared by our key allies, including Israel and Jordan. The withdrawal of U.S. troops will also abandon the Kurds, who have been our partners in the region. Once again, we see the U.S. abandoning critical alliances in favor of narrow and ill-defined aims.

I have seen firsthand the devastating effects of the ongoing Syrian conflict and resulting humanitarian crisis, which has led to the worst refugee crisis since World War II. In 2015, I visited a Greek refugee center and met with officials who are dealing with the crisis. I saw groups of children who had traveled alone to try to find better lives, but when we tried to ask one little boy about his story, he did not want to tell us because he and all his friends were afraid that they would be sent back home. I also visited the Za'atari refugee camp in Jordan, where we heard about atrocities taking place in Syria that one refugee said would ''make stones cry.''

This crisis is not over, and it requires an international response and clear U.S. policy. There are no easy solutions in Syria. But what we need is leadership and a comprehensive plan based on the expertise of those on the frontlines, not hasty and ill-informed decision-making.

Thank you.

REMEMBERING GEORGE H.W. BUSH

Mr. CASEY. Mr. President, today I wish to pay tribute to former President George Herbert Walker Bush who died on November 30 at the age of 94. Henry Clay once said, ''Recognize at all times the paramount right of your Country to your most devoted services, whether she treat you ill or well, and never let selfish views or interests predominate over the duties of patriotism.'' Beginning at the age of 18 when he joined the Navy and served in World War II, President's Bush's life was a life of service and of a greater commitment to his country. Over several decades and in numerous roles, President Bush served with honor and decency offering his country the best of his wisdom, experience, and dedication. When he lost reelection in 1992, he left a note to his successor that ended with ''Your success is now our country's success. I'm rooting hard for you. Good luck.'' Even in defeat, President Bush's focus was on the future of the country and its success.

While many commentators have highlighted his achievements in foreign policy, we should remember as well his domestic policy accomplishments, such as the Americans with Disabilities Act. George Bush was a great supporter of people with disabilities even before he became President. As Vice President to Ronald Reagan, he met with disability advocates Evan Kemp and Justin Dart, forming both a policy partnership and friendship with

them. Both Kemp and Dart were wheelchair users and were able to convince the then-Vice President of the need for a civil rights bill for Americans with disabilities.

When he became President, Bush tapped two key legal advisers, his White House Counsel Boyden Gray and distinguished former Pennsylvania Governor Attorney General Richard L. Thornburg, to work with Congress to craft legislation that would be the civil rights law for people with disabilities. Working closely with House leaders Tony Coelho, STENY HOYER, and Steve Bartlett and Senate leaders Tom Harkin, Ted Kennedy, Bob Dole, and ORRIN HATCH, they crafted a bill that was introduced in the spring of 1989 but failed to pass.

The following year, with President Bush himself and his White House staff working with the congressional leaders and advocates, the Americans with Disabilities Act passed the House and the Senate with overwhelming bipartisan support. The signing ceremony was held on the South Lawn of the White House with hundreds of disability advocates in attendance. As President Bush signed the bill into law, he said, ''Let the shameful wall of exclusion finally come tumbling down,'' and with the stroke of a pen that represented years of advocacy and political compromise, President Bush signed the last great civil rights law of the 20th century.

The world is emptier without President Bush, but his legacy lives on in those who knew and worked with him and in the millions of people whose lives were made better by his policies and his service. They are his ''thousands of points of light,'' and they carry forth his vision and his commitment every day.

SENATE COMMITTEE ON THE JUDICIARY OVERSIGHT SUMMARY

Mr. GRASSLEY. Mr. President, oversight is one of the most important responsibilities of this legislative branch. The Constitution requires it.

Without oversight, the Members of this body cannot legislate in the best interests of their constituents, nor can they ensure the government is accountable to the taxpayers.

In whatever capacity I have served my own fellow citizens of Iowa over the years, I have always strived to faithfully carry out my duty to conduct oversight.

The same is true of these last 4 years that I have been honored to serve as the chairman of the Judiciary Committee.

The agencies under the committee's jurisdiction are some of the most powerful and most consequential in the executive branch.

Our Nation's law enforcement agencies have the authority to seek to search and seize our property and review our communications.

When warranted, they may bring charges that can result in disgorgement of financial resources or loss of personal liberty.

That is because these agencies have the equally weighty responsibility to protect us from criminal and intelligence threats of all stripes.

These agencies help protect the taxpayer from fraud, hunt down violent offenders and fugitives, protect our senior leaders and judges, and dismantle illicit networks that traffic in illegal drugs, endangered wildlife, and worst of all, human beings.

They safeguard our borders, secure our transportation and cyber networks, and return kidnapped children to their families.

That is just a fraction of the many responsibilities of the Departments of Justice and Homeland Security.

I am grateful for the faithful public service of thousands of law enforcement agents, analysts, lawyers, engineers, scientists, officers, managers, and other employees who make up these agencies.

That includes especially those individuals who have not only done their jobs, but have truly gone above and beyond.

A lot of times, they don't like being called whistleblowers because they never meant to be whistleblowers.

But these employees, hundreds of them in the last 4 years, have courageously raised their hands and disclosed waste, fraud, abuse, mismanagement, and all sorts of misconduct.

I could not have fulfilled my oversight responsibilities without them.

Because of whistleblowers, the committee: uncovered a pattern of wasteful spending at the U.S. Marshals Service.

Turns out, the Marshals Service spent $22,000 on a conference table for the Asset Forfeiture Division's headquarters in Arlington, VA, and $50,000 a month on a lavishly furnished training facility in Houston, TX, that was used for only a few weeks out of the year.

Thanks to the whistleblowers and the work done by this Committee, I am happy to report that the Marshals Service closed that facility earlier this year.

Whistleblowers have also highlighted examples of gross mismanagement within the agency.

For example, we know that, last year, roughly 2,000 deputy marshals were using expired or soon to be expired body armor. We also uncovered instances of unfair hiring practices and other serious ethical violations.

In total, over 100 whistleblowers from the U.S. Marshals Service courageously came forward. I thank them for their bravery and commitment to government transparency.

After supervisors ignored their warnings, whistleblowers at the Department of Homeland Security came forward to raise awareness on how smugglers prey on unaccompanied minors and migrants.

A courageous whistleblower told my office that Health and Human Services were not conducting thorough background checks on sponsors before they took custody of the children.

Now, all sponsors and those living with sponsors, are fingerprinted before they can bring a child home. This whistleblower also reported a dangerous tactic used by smugglers to pair kids with unrelated adults to create the appearance of family units.

Smugglers would use kids like pawns in an effort to help adults avoid detention when coming across our border. Now, U.S. Government officials are working with their counterparts in Mexico to investigate and crack down on the smuggling that occurs on the lengthy journey to the United States.

Whistleblowers also contacted my office during the Obama administration about criminals who should be ineligible for DACA, but due to an oversight by the Department, were still receiving benefits, like work authorization. Scrutiny of the program led to more thorough recurrent vetting by the U.S. Citizenship and Immigration Services.

Thanks to more than 10 whistleblowers at the Bureau of Alcohol, Tobacco, and Firearms who courageously reported that their sexual harassment claims were being buried internally, then-Attorney General Lynch updated the sexual harassment policy and a problematic official in internal affairs was replaced.

The GAO is currently assessing how reports of abuse are reviewed and adjudicated at ATF.

I have also had the pleasure of working with a number of whistleblowers at the Department of Veterans Affairs who have had the courage to stand up and do what is right.

Most recently, my office worked with Brandon Coleman after he was put on administrative leave for more than a year and kept from running an addiction treatment program for veterans.

Brandon's only ''mistake'' was to point out poor treatment of suicidal veterans.

Eventually, after a concerted effort by my office, Senator JOHNSON, and the Office of Special Counsel, Brandon was provided a new position within the VA's Office of Accountability and Whistleblower Protection. That is how it should be done.

Although the False Claims Act isn't new, I want to point out that is still working hard for the taxpayers.

Because of the 1986 amendments to the act and all of our efforts to strengthen it, whistleblowers were empowered to help the government fight fraud.

In the last 4 years, thanks largely to whistleblowers, the government has recovered $17 billion under the False Claims Act.

That makes $56 billion since the 1986 amendments.

These are only a few examples of what has been achieved because of whistleblowers. They have saved our money, made us safer, and held our government accountable.

Our oversight efforts have also helped us write better laws.

Through my investigations, I learned about problems with how the Department of Veterans Affairs reports veterans to the national gun ban list, called the NICS list.

Once you are on the list, you can no longer own and possess a firearm.

And there is an unfair double standard at work here.

The VA never determines a veteran to be dangerous before taking away firearms, but to get their firearms back, the veteran is required to prove that they are not dangerous.

The Obama Social Security Administration created a rule that would allow it to report beneficiaries to the NICS list without ever finding the beneficiaries to be mentally ill or dangerous—just like what the VA does to veterans.

If the Federal Government is going to attempt to take away a citizen's fundamental constitutional right, it better have one heck of a compelling reason to do so.

If a person isn't mentally ill, dangerous, or subject to some other Federal restriction, then the government is on shaky ground.

This Obama Social Security regulation was a pure and simple unconstitutional gun-grab.

So I worked to pass legislation with bipartisan support to terminate the regulation, 57 to 43.

I have also worked to pass strong legislation to support the critical work done by inspectors general. In 2016, a broad bipartisan coalition of legislators passed the Inspector General Empowerment Act that reiterated Congress's intent that IGs be able to access ALL agency records.

It also gave IGs better tools that enable them to do their jobs more effectively, including the ability to conduct investigations without getting agency approval. It also strengthened public reporting requirements to ensure as much transparency as possible.

I have also introduced legislation to create an IG for the Federal judiciary to offer those employees the same rights offered to their coequal executive branch counterparts.

After holding a full committee hearing on problems with rampant sexual harassment in the judiciary and raising awareness on a lack of an effective reporting mechanism, the Administrative Office of the U.S. Courts took a step in the right direction by creating the Judicial Integrity Office.

I hope through the establishment of this office, the AO will recognize the importance of transparency and accountability.

Another example of where oversight led to a legislative solution is the Public Safety Officers Benefit Program.

Enacted in 1976, this program provides survivor benefits to the spouses and children of public safety officers who died in the line of duty.

Despite the Department's own 1–year deadline to resolve all claims, we found that over half of all death benefit claims were pending past the 1–year mark. As a result, I introduced and passed bipartisan legislation aimed at creating more transparency and accountability in the administration of this program.

Oversight of the Justice Department also uncovered gross mismanagement by the Office of Juvenile Justice and Delinquency Prevention, or OJJDP for short.

That office provides millions of dollars in grants to States to assist them in addressing juvenile delinquency. Thanks to several whistleblowers, we discovered that OJJDP was issuing millions of dollars to noncompliant States.

I introduced bipartisan legislation which would require the Justice Department to hold States more accountable for fulfilling these grant requirements. A few days ago, this bill unanimously passed both Chambers of Congress.

Oversight is a critical tool Congress must use to help hold the Federal Government accountable to ''we the people''.

It is the job of Congress, which represents the people, to ensure the government is operating above board, transparently, and as a good steward of taxpayer resources.

Of course, as chairman of the Judiciary Committee, over the last 4 years I have focused extensively on the Justice Department proper and FBI.

Much of that focus has been on how the Department handled the Clinton investigation and the Russia investigation.

With respect to the Clinton investigation, some of the most problematic material discovered thus far is classified. However, as many now know, the Department had personnel on the Clinton investigation that exhibited extreme political bias against then-Candidate Trump.

My inquiry also found that the Department and FBI oddly limited the scope of review to the time Secretary Clinton was Secretary of State, even though evidence of obstruction would have occurred after she left the State Department.

Perhaps defying all sense of legal logic, the Department and FBI decided to write in the element of ''intent'' into 18 U.S.C. 793(f), which covers the mishandling of classified information.

By the FBI's own admission, highly classified information transited Secretary Clinton's unclassified nongovernment server that she used for government business.

If any one of us did that to classified information, we would have the book thrown at us.

Also, the Department and FBI used immunity agreements at an alarming rate and then-Director Comey began writing an exoneration statement before interviewing Secretary Clinton and 16 other witnesses.

That same exoneration statement labeled Secretary Clinton's actions as ''grossly negligent,'' a criminal standard, which was later changed to ''extremely careless,'' a noncriminal standard.

All told, the Clinton investigation was mismanaged to the detriment of our country's faith in the FBI.

Perhaps the most breathtaking hypocrisy we identified in the Clinton investigation is that Comey and other FBI officials were using private email to conduct government business while they investigated Secretary Clinton for doing the same.

Congress has an obligation to shine a light on wrongdoing, and I certainly hope the Department and FBI have learned their lesson.

If not, eventually, Congress will find out. And let me say this: Our patience is wearing thin.

Aside from the Clinton investigation, in 2015 I began looking into the Foreign Agents Registration Act before it was made popular by Robert Mueller.

FARA is a very important law. It requires agents of foreign governments or enterprises to register with the Justice Department so we know who they are and who they truly work for.

Sunlight is the best disinfectant. We ought to know where someone's loyalty lies.

I held a hearing in July 2017 about the law and potential fixes to it. As a result, I introduced the Disclosing Foreign Influence Act.

That bill does two important things: No. 1, it provides the Attorney General with civil investigative demand authority; and No. 2, it creates oversight checks and balances on the use of that authority.

We must do whatever we can do identify foreign agents spreading propaganda and lobbying on behalf of foreign governments.

During the course of my investigation into violations of FARA, I became aware of a group of unregistered foreign agents lobbying for the repeal of the Magnitsky Act. That law, passed by Congress in 2012, authorized sanctions against a group of Russians responsible for a particularly egregious case of human rights abuse.

I discovered that those involved in the anti-Magnitsky lobbying effort were the same cast of characters who organized the now infamous Trump Tower meeting in 2016. This prompted a full-scale investigation into the meeting and the reasons behind it.

On May 16 of this year, I am proud to say that the committee released approximately 2,500 pages of transcripts, written statements, and exhibits collected during the course of this investigation, as well as records produced by meeting attendees who were not interviewed. Taken in their entirety, these materials provided the public with the most complete picture of events surrounding that meeting to date.

In the end, the evidence supported what we had suspected all along—that the meeting was just another attempt by this group of unregistered foreign

agents trying to overturn a law that they didn't like.

I also conducted oversight into the FBI's handling of its investigation into Russian interference in the 2016 election.

As a result of our and other committees' investigative efforts, we now know that one of the documents used by the FBI to establish and broaden its early investigation of President Trump was an unsubstantiated political opposition research dossier, prepared by Christopher Steele for the opposition research firm Fusion GPS and paid for by the Hillary Clinton campaign and Democratic National Committee.

As Senator GRAHAM and I described in our criminal referral of Christopher Steele earlier this year, this dossier was used by the FBI to help justify a FISA warrant to surveil a Trump campaign volunteer.

I am proud of the role that the committee has played in bringing additional details about these events into public view, both through the criminal referral of Steele and through the official release of the committee's interview of Fusion GPS founder Glenn Simpson, which took place last August.

My oversight work on this committee has also been bipartisan. Ranking Member FEINSTEIN and I shared equally in the questioning of witnesses involved in the Trump Tower meeting, and we worked together to release the results of the Committee's investigation in May of this year.

Even though I am chairman of Judiciary, my oversight focus extended to health care related matters.

Nonprofit hospitals have been a particular concern.

One nonprofit chain, called Mosaic Life-Care, had been suing low-income patients for debts that should have been covered by the hospital. Tax-exempt hospitals cannot be in the business of profiting off poor people.

After a 16-month inquiry, Mosaic finally changed its ways and approved debt forgiveness for over 3,000 patients. That debt forgiveness was worth approximately $16.9 million.

And when Iowans began contacting me about the rising cost of EpiPen, I began to investigate. In 2007, a pack of two EpiPens cost $100. By 2016, the cost exploded to $600.

In a nutshell, Mylan had classified the EpiPen as a generic under the Medicaid Drug Rebate Program rather than a brand name drug.

Because of this incorrect classification, Mylan only had to pay a 13-percent rebate instead of a 23.1-percent rebate.

I asked the Health and Human Services inspector general to look into these practices.

The inspector general found that the taxpayers may have overpaid for the EpiPen by as much as $1.27 billion over 10 years because of the incorrect classification.

Eventually, Mylan settled a False Claims Act case with the Justice Department for $465 million. Upon learning of that settlement, I expressed my disappointment that it didn't seem the taxpayers had been made whole.

On August 16, 2018, the FDA finally approved a generic EpiPen, which gives consumers more purchasing options.

Simply stated, oversight works.

I also investigated, with Senator WYDEN, Gilead's pricing decisions for its hepatitis C drugs—Sovaldi and Harvoni. Our joint report was a ground-level view of how a drug is priced and what steps some drug companies will take to maximize profit possibly to the detriment of patients in need.

Nursing home social media abuse has also been a focus of mine.

New technologies offer new ways for bad conduct to occur. Steps ought to be taken to stop that.

After extensive communication with CMS about these issues, the government issued a guideline that made clear that compromising photos and recordings of residents is a form of abuse.

But, we didn't stop there.

After reading reports about spending and management problems at the Wounded Warrior Project, I looked into that too.

Reports had shown Wounded Warrior was not spending 80.6 percent of their programs expenses on veterans in fiscal year 2014. My investigation found that Wounded Warrior had been incorporating donated media and millions of dollars in fundraising to get to that 80.6 percent. A more accurate figure is about 68 percent.

Americans want the Wounded Warrior Project to be successful, and if its current leaders are listening to this, I want to reiterate my best wishes that it help as many veterans as possible.

I have also taken a keen interest in the Red Cross over the years.

Most recently, after reports of mismanaged spending after the earthquake in Haiti, I decided it was time to look under the hood.

What I found was troubling, to say the least.

My inquiry found that the Red Cross did not track costs on a project by project basis; instead, it used a complex and inaccurate process to track spending. The Red Cross was simply unable to provide the exact cost of each project and program in Haiti.

Worst yet, my inquiry found that the head of the Red Cross attempted to terminate a review by the Government Accountability Office and lied about it. I will continue to keep my eye on the Red Cross.

During my time as chairman of Judiciary, I have also conducted extensive oversight of our broken immigration system.

For every major terror attack on American soil by a foreign national, I reviewed just how the perpetrators entered the country in the first place. What I found was that often these terrorists and other criminals would lie or conceal information on their visa applications to enter the country.

They often knew which visas to exploit to commit their crimes, which ranged from espionage, to theft of trade secrets, to trafficking.

The committee has also looked into how Homeland Security and State vet refugees, monitored the mass migration caravans, reviewed hundreds of pages of visa and immigration documents, and repeatedly raised concerns with the controversial EB–5 investor visa program.

When Congress created the program, the goal was to spur growth for rural and underserved areas. Now, the EB–5 program has become an often illicit funding source for big-moneyed interests in some of the largest cities around the country. It is no surprise that the Fraud Detection and National Security Directorate also raised national security concerns about the program.

Since 2016, I have written eight letters, held three hearings, and introduced legislation to remedy the glaring problems that plague this program.

I wait with anticipation on the EB–5 modernization and reform regulations the Department of Homeland Security promises to publish very soon.

These are but a few examples of what I have tried to do right by the people of Iowa and the taxpaying public.

Being chairman of the Judiciary Committee has been a rewarding experience, one that I will cherish as some of the most productive years of my career representing the great people and State of Iowa.

I look forward to continuing my oversight work both as chairman of Finance and as a senior member of the Judiciary Committee in the next Congress.

After all, as experience has shown, oversight works, and I will continue to fight the good fight on behalf of ''We the people.''

TRIBUTE TO CONNIE MCKENZIE

Ms. MURKOWSKI. Mr. President, I come to the floor today to recognize a truly exceptional individual who has been a member of my staff for many years. It is bittersweet to stand before you today to recognize the well-deserved retirement of Connie McKenzie, of my Juneau, AK, office.

Connie isn't originally from Alaska, but you would never know it. She moved to our great State in the summer of 1987 to take a seasonal job in Skagway with a cruise ship tour company, but those few weeks in the Alaskan summer soon turned into a home. She has been in Alaska ever since, and that summer job quickly turned into a successful career in the tourism industry in southeast Alaska, giving Connie the opportunity to work closely with community members, interact with local businesses and to help grow the regional economy. She is a people person to her core and someone we all quickly relate to, a valuable trait for any career.

Connie soon gained a reputation as someone to go to when you needed something done. She is a problem-solver who doesn't know the word no. From the beginning, her ability to find solutions, showcase her region, and quickly develop professional contacts made her a well-respected member of the community. For more than 20 years, she has been a dedicated volunteer and officer of local and statewide political groups, including the Capital City Republican Women, district cochair, and the Republican State Central Committee. She has been active in Beta Sigma Phi and a variety of community service projects.

Connie's local involvement eventually opened doors for a new career, one in public service. In 2001, Connie began working for the Alaska Congressional Delegation. She first started working for Congressman YOUNG, now the Dean of the House. She was a natural fit and soon was running a joint office for the entire congressional delegation. It was my good fortune to join the U.S. Senate with a seasoned staff member like Connie. Her regional knowledge and work experience have, no doubt, helped me represent the unique needs of Alaskans, particularly those in southeast.

After serving in this role for many years, Connie left the office in 2013 to work for the State administration under then-Governor Sean Parnell, but she just couldn't stay away, nor could we last too long without her. Thankfully, in 2015, she came back to us and has served our Juneau office in service to Senator SULLIVAN and me. She has been a dedicated public servant, and I know I speak on behalf of so many Alaskans when I say we will be sad to see her go.

Congressman YOUNG said of Connie that she ''is one of the rare gems that comes along rarely in a Congressional career. From the moment I hired her she has been the embodiment of a perfect staff. She is the person who the people of Southeast Alaska have come to rely upon for sound policy advice, every kind of constituent service and has gone above the call of duty to serve as a counselor for the mentally ill and homeless population. She faced any challenge with a positive demeanor, rock solid ethics and made it all look easy. Her guidance to me has been a godsend and a large part of my own success in not only Southeast Alaska but statewide. Whether employed directly by me, the Congressional delegation or any other entity, Connie has always been a stalwart supporter, volunteer and overall great person. Connie, we will sorely miss you!'' I couldn't agree more with DON's words.

Connie has done a great job representing the Alaska Congressional Delegation. She brings new meaning to the term professional. Regardless of what side of the political spectrum you are on, you know you will get a straight and fair answer from Connie. Constituents appreciate her work, other elected officials are comfortable working with her, and the office staff is always asking for and depending on her expertise. In my office, she is our informal office trainer. If you want to know how to do something, Connie is the one to ask. She has provided hundreds of Alaskans with casework assistance on nearly the same amount of issues, from taxes to immigration to forest management, you name it. Connie has handled it.

People that work with Connie will always find a brilliant, caring person that demonstrates a good sense of comradery and teamwork. This is what her colleagues and friends say about her, and I couldn't say it better myself.

Connie's departure will certainly create a loss for me and my team, but I know Connie won't be at a loss for things to do. She is an avid outdoors woman, enjoying skiing, hiking, and biking with her husband Mitch and dog Brodie whenever possible. No hill is too steep, no trail is too long, she tackles each adventure with enthusiasm and a deep love for the outdoors.

Often when I would travel to her region, Connie somehow found time in my otherwise packed schedule to fit constituent meetings into a hike through the Tongass or some other outdoor adventure, giving us a chance to fill our lungs with fresh air while we worked. I will miss those hikes together, but now, I will just have to schedule them with her rather than the other way around.

Connie may be retiring from her career of public service, but I have no doubt she will continue to remain engaged in her community. It is in her blood. Connie leaves behind a legacy of hard work, humor, and commitment to Alaska that will forever be remembered. I wish her all the best in the next chapter of her life. Connie; I'll see you on the trails.

TRIBUTE TO STAFF

Mr. CORKER. Mr. President, over the past 12 years, I have had the privilege to serve the citizens of Tennessee and our country with the finest group of people that I have ever been around. I truly love them.

Today, in my final statement for the CONGRESSIONAL RECORD, I want to recognize the people who have become like family, past and present—178 hardworking, tenacious, conscientious public servants—and thank them for all they have done to make a difference in the lives of countless Tennesseans and to make our world a better place:

Jared Adams, Mike Ahern, Ann Marie Anderson, Jessica Bader, Bridget Baird, David Baird, Michael Bassett, Ryan Berger, Hunter Bethea, Casey Black, Bertie Bowman, Courtney Bradway, Michael Bright, Clay Brockman, Paul Burdette, Tom Callahan, Conor Carney, Mark Cochran, Kim Cordell, Jamie Corley.

Kelly Cotton, Leslie Crisp, Carlie Crenshaw Cruse, Joe Curtsinger, Joe Dagher, Kat Dahl, Anna Catherine Davenport, Ashton Davis Davies, Reese Davis, Garnett Decosimo, Armand DeKeyser, Chris Devaney, Caroline Diaz-Barriga, Bradley Dickerson, Tara DiJulio, Sarah Downs, David Dudik, John Dutton, Alex Eblen, Holt Edwards, Tracey Edwards.

Brooke Eisele, Callie Estes, Heather Scarborough Ewalt, Josh Falzone, Jason Farris, Paul Fassbender, Aaron Fitzgerald, Chris Ford, Katie Davis Freeman, Michael Gallagher, Lee Gatts, Courtney Geduldig, Santo Giordano, Whitney Calhoun Goetz, John Goetz, Paul Goode, Tori Gorman, Jill Grayson, Joey Greer, John Haley.

Stephanie Parsons Hamby, Sam Hamilton, Jenny Hamrick, Chuck Harper, Sarah Mikels Harrington, Joy Hawkins Harris, Jeni Healy, Alex Heaton, Alicia Hennie, Laura Lefler Herzog, Trey Hicks, Caroline Hodge, Farrah Hodge, Chris Howell, Clay Huddleston, Jamil Jaffer, Julia Johnson, Kyle Johnson, Micah Johnson, Jane Jolley, Logan Jolley.

Elizabeth Kelly, David Kinzler, Nick Kistenmacher, Anna Knight, Carrie Lane, Audri Larsen, Molly Lazio, David Leaverton, Carolyn Leddy, Rachel Lee, Ramona Lessen, Sarah Leversee, John Lipsey, Todd Love, Patrick Lynch, Kirsten Madison, Dana Magneson, Emily Manning, Caleb McCarry, Connor McCarthy.

Jonathan McKernan, Claire McVay, Bess McWherter, Abby Meadors, Owen Mercer, Katy Miller, Michael Miller, Christen Mogavero, Becky Moon, Grant Mullins, Lester Munson, Meg Murphy, Angie Nelson, Stacie Oliver, Bentley Olson, Andy Olson, Sarah Osborn, Anne Oswalt, Arne Owens, Connor Pagnani.

Paul Palagyi, Ashley Palmer, Jonathan Parker, Shelby Payne, Michael Phelan, Frank Polley, Shirley Pond, Kelly Puckett, Ben Purser, John Rader, Betsy Ranalli, Tori Read, Rebecca Rial, Scott Richardson, Cate Catani Robertson, Kristin Rosa, Darlene Rosenkoetter, Jill Salyers, Brandeanna Sanders, Marty Schuh.

Patricia Schultz, Hayly Humphreys Schmidt, Les Sealy, Douglas Sellers, Erica Frye Sharber, Evan Sharber, Lowell Sherman, Lexi Simpson, Matthew Smith, Rhonda Smithson, Justin Spickard, Megan Spoone, Dan Springer, Zach Stone, Sarah Ramig Stone, Rob Strayer, James Tatgenhorst, Beth Tipps, Eric Trager.

Chris Tuttle, Daniel Vajdich, Caroline Vik, Morgan Vina, Jennifer Weems, Micki Werner, Jeri Wheeler, Mark White, Brent Wiles, Hallie Williams, Laurie Williams, Staci Willoughby, Bridget Winstead, Todd Womack, Canon Woodward, Alicyn York, John Zadrozny.

ADDITIONAL STATEMENTS

TRIBUTE TO MARY LINCOLN

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Mary Lincoln of Liberty County for her 100 years of determination, joy, and service for others.

At 107, Mary Lincoln has lived through 19 Presidents, two World Wars, the Great Depression, and was born before women could vote. Ms. Lincoln was born in 1911, just north of Rudyard, MT, in a small homestead shack. As an infant, she was placed in a cardboard box with blankets and laid atop of the home's oven to keep warm. From then on, Mary Lincoln has embodied the true spirit of Montana, keeping a light heart and always staying busy.

Mary Lincoln graduated from Havre High School at 16, where she then went

on to get a teaching degree from a small college in Illinois. After college, Ms. Lincoln came back to teach at Juanita County School in Montana. She has out lived all of her students, except for one who, at 91, still visits her. Ms. Lincoln and her husband Donald were married for 60 years and had three children together.

Mary Lincoln is an inspiration to all, she has seized all that life has to offer and at 107 still says that her best years are yet to come. I congratulate Ms. Lincoln for her exemplary Montanan spirit and continual support towards small Montana communities.●

TRIBUTE TO BOBBY OLGUIN

● Mr. HEINRICH. Mr. President, it is an honor to recognize Bobby ''Buckhorn Bob'' Olguin for his decades of serving the best green chile cheeseburgers in the State of New Mexico.

Over the years, the Buckhorn Tavern in San Antonio became one of my favorite places to stop by and grab a bite to eat while driving through the State or after hunting trips with my sons Carter and Micah.

The Buckhorn earned international acclaim in multiple food and travel publications for its delicious burgers. When Food Network celebrity chef Bobby Flay tried to take on Bobby Olguin in a grilling competition in 2009, the winner was never in doubt. However, the real magic in going to the Buckhorn was not just in the burgers; it was Bobby's friendly conversations and the kindness he showed every single person who walked in his door.

After beating cancer, Bobby rightly wants to spend more time with his wife, children, and grandchildren. I am grateful that Bobby is healthy, and I wish him and his family all the best as they start this new stage in life. But speaking for myself, and many other New Mexicans, I am sure going to miss those burgers.●

REMEMBERING BETTYE DAVIS

● Ms. MURKOWSKI. Mr. President, on December 2, 2018, Bettye Davis, a former Alaska legislator and community leader, passed away at the age of 80. The passing of Bettye Davis attracted national media attention, which is unusual, when an Alaska legislator passes. Bettye Davis was not only a historic figure in the State of Alaska, but also in the broader African-American community. She was the first African-American to be elected to the Alaska State Senate.

Bettye Davis was born in Homer, LA, and graduated from high school in Bernice, LA. She earned her bachelor's degree in social work in 1972 from Grambling, one of America's great Historically Black Colleges and Universities. She also held a certificate in nursing from St. Anthony's College.

Bettye's husband, Troy, was transferred to Alaska by the Air Force. Bettye came along. She recalled no way did she ever intend to live in Alaska, but when she arrived, she discovered that she loved the land, she loved the people, and the people of Alaska welcomed her. That was 45 years ago, and it led Bettye to conclude that Alaska was her home. She often analogized her story to that of Ruth in the Bible—arriving in a foreign land, accepting the people, finding acceptance, and committing her life to serve the people of her new homeland.

Bettye began a brilliant career in her adopted home State as a State civil servant. It began as a nurse at the Alaska Psychiatric Institute and subsequently as a social worker for the Alaska Department of Health and Social Services, retiring in 1986.

She served in the Alaska House of Representatives from 1990–1996 and then in the Alaska Senate from 2001–2013. Bettye served as both majority whip and minority whip during her time in the Alaska House. She was the first African-American woman to serve in the Alaska House of Representatives.

In between her periods of State legislative service, Bettye served on the Alaska State Board of Education, which she chaired from 1998–1999.

Although she was defeated in a reelection bid to the Alaska Senate, her public service career continued on. Bettye joined the Anchorage School Board where she served from 2013 until 2018, when she resigned to attend to health issues. This was her third stint on the Anchorage School Board. Altogether, she served 11 years on the school board.

Her community engagements were many and varied. She was a proud and active member of the Shiloh Missionary Baptist Church, the NAACP, the Alaska Black Leadership Conference, Common Ground, the League of Women Voters, Delta Sigma Theta, and the Zonta Club of Anchorage. She was inducted into the Alaska Women's Hall of Fame.

In her induction speech, Bettye said she wanted to be remembered as someone who fought a good fight, did good work, and won the battle. Every day, she got up with a mission of doing something for somebody, somebody who couldn't speak for themselves, somebody who couldn't express themselves, somebody who just needed a kind word.

Bettye Davis was all of that and more to the people of Alaska. Friends described her as a fortress, a champion for Alaska's children and the poor, a shining example of the best of politics, and the conscience of the legislature.

It is with great sadness that we acknowledge the loss of this exceptional Alaska public servant on the floor of the U.S. Senate. While her voice will be sorely missed, her legacy of leadership sets an example for generations of Alaska leaders to come. On behalf of my Senate colleagues, I extend my condolences to Bettye's surviving family and all of her friends and colleagues who hold Bettye's memory dear.●

50TH ANNIVERSARY OF COMMUNITY HEALTH AIDES

● Ms. MURKOWSKI. Mr. President, today I wish to commemorate the 50th anniversary of the Community Health Aides in the State of Alaska.

All across rural Alaska, there are women and men who devote their time and energy to ensure their communities remain healthy, have sufficient care, and provide basic health education. These are our Community Health Aides, working each and every day with all ages.

As a result of lack of access to healthcare in rural Alaska, the Community Health Aide Program, CHAP, was developed. Since 1968, CHAP has received congressional funding and recognition for the tremendous work they do. This program has allowed for a greater relationship between the State and Federal Government, as they coordinate with many of our Tribal health organizations, such as the Alaska Native Tribal Health Consortium.

Alaska has seen outbreaks of tuberculosis, high incidence of infant mortality, and high rates of serious injuries that simply could have been prevented had there been specific community leaders whose role was to educate and provide for the community's health needs.

Currently, there are approximately 550 Community Health Aides and Practitioners, CHA/Ps, in more than 170 rural communities across Alaska. CHA/Ps are truly the people on the frontlines providing firsthand treatment and serving as the link to primary care providers, regional hospitals, and specifically the Alaska Native Medical Center in Anchorage. For those times that the patients cannot travel, the CHA/Ps will coordinate specialized nurses and practitioners to visit their village quickly and efficiently.

CHA/Ps receive ongoing training and education, following their initial 3 to 4-week training period. There are four training centers in Alaska—Anchorage, Bethel, Nome, and Sitka—and it is at these centers where they receive the skills necessary to ensure the highest quality care is administered in rural regions of Alaska. This is a critical role in our communities. I am grateful for the CHAP program and for the men and women who are changing the outcomes of many Alaskans' lives each and every day.

In this 50th year, Alaskans in communities across the State, from Nuiqsut, Ester, Klawock, Illiamna, to Dutch Harbor, have taken time to celebrate their valued community health providers, giving them the honor they surely deserve.

Thank you.●

MESSAGES FROM THE HOUSE

At 11:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks,

announced that the House has passed the following bills, without amendment:

S. 1520. An act to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 2076. An act to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2278. An act to amend the Public Health Service Act to provide grants to improve health care in rural areas.

S. 3530. An act to reauthorize the Museum and Library Services Act.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6652. An act to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes.

H.R. 7279. An act to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1222) to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 6227) to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 6615) to reauthorize the Traumatic Brain Injury program.

At 4:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 7. An act to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

S.S. 2200. An act to reauthorize the National Integrated Drought Information System, and for other purposes.

S. 2652. An act to award a Congressional Gold Medal to Stephen Michael Gleason.

S. 2679. An act to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 2765. An act to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.

S. 2896. An act to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

S. 2961. An act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 3444. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the ''Douglas Fournet Department of Veterans Affairs Clinic''.

S. 3777. An act to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6418. An act to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities.

H.R. 7093. An act to eliminate unused sections of the United States Code, and for other purposes.

H.R. 7227. An act to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.

H.R. 7328. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the amendment of the House to the bill (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 767) to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

The message further announced that the House has agreed to the Senate amendments numbered 1 and 2 to the text of the bill (H.R. 4227) to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

ENROLLED BILLS SIGNED

At 4:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1210. An act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the ''Pleasanton Veterans Post Office''.

H.R. 1211. An act to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the ''Encinal Veterans Post Office''.

H.R. 1222. An act to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

H.R. 1733. An act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

H.R. 1850. An act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the ''Donna Sauers Besko Post Office''.

H.R. 3184. An act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the ''Captain Humayun Khan Post Office''.

H.R. 4326. An act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the ''Sgt. Josh Rodgers Post Office''.

H.R. 5205. An act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the ''Sergeant Kenneth Eric Bostic Post Office''.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the ''Staff Sergeant Alexandria Gleason-Morrow Post Office Building''.

H.R. 5412. An act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the ''Army Specialist Jose L. Ruiz Post Office Building''.

H.R. 5475. An act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the ''SO2 Navy SEAL Adam Olin Smith Post Office''.

H.R. 5791. An act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the ''Deputy Sheriff Zackari Spurlock Parrish, Ill, Post Office Building''.

H.R. 5792. An act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ''Detective Heath McDonald Gumm Post Office''.

H.R. 6020. An act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the ''Sergeant Donald Burgett Post Office Building''.

H.R. 6059. An act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the ''Thomas P. Costin, Jr. Post Office Building''.

H.R. 6167. An act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the ''James William Robinson Jr. Memorial Post Office Building''.

H.R. 6216. An act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the ''Sergeant David Kinterknecht Post Office''.

H.R. 6217. An act to designate the facility of the United States Postal Service located

at 241 N 4th Street in Grand Junction, Colorado, as the ''Deputy Sheriff Derek Geer Post Office Building''.

H.R. 6227. An act to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

H.R. 6335. An act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the ''Oakville Veterans Memorial Post Office''.

H.R. 6347. An act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6405. An act to designate the facility of the United StatesPostal Service located at 2801 Mitchell Road in Ceres, California, as the ''Lance Corporal Juana Navarro Arellano Post Office Building''.

H.R. 6428. An act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the ''Frank Leone Post Office''.

H.R. 6513. An act to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the ''Judge James E. Horton, Jr. Post Office Building''.

H.R. 6591. An act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the ''Napoleon 'Nap' Ford Post Office Building''.

H.R. 6615. An act to reauthorize the Traumatic Brain Injury program.

H.R. 6621. An act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the ''Major Homer L. Pease Post Office''.

H.R. 6628. An act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the ''James Marshall 'Jimi' Hendrix Post Office Building''.

H.R. 6655. An act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the ''Janet Lucille Oilar Post Office''.

H.R. 6780. An act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the ''Major Andreas O'Keeffe Post Office Building''.

H.R. 6831. An act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the ''Patrick E. Mahany, Jr., Post Office Building''.

H.R. 6930. An act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the ''Ross Bouyea Post Office Building''.

H.R. 7210. An act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

H.R. 7230. An act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the ''Postmaster Frazier B. Baker Post Office''.

The enrolled bills were subsequently signed by the Acting president pro tempore (Mr. YOUNG).

ENROLLED BILL SIGNED

The Acting President pro tempore (Mr. YOUNG) announced that on today, December 20, 2018, he had signed the following enrolled bill:

S. 756. An act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Commerce, Science, and Transportation and referred as indicated:

S. 3720. A bill to authorize the Secretary of Transportation to provide loans for the acquisition of electric buses and related infrastructure; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 20, 2018, she had presented to the President of the United States the following enrolled bills:

S. 1050. An act to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1311. An act to provide assistance in abolishing human trafficking in the United States.

S. 1312. An act to prioritize the fight against human trafficking in the United States.

S. 2101. An act to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2511. An act to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes.

S. 3170. An act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

S. 3749. An act to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7555. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tolfenpyrad; Pesticide Tolerances'' (FRL No. 9987–34–OCSPP) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Mefenoxam; Pesticide Tolerances'' (FRL No. 9985–52–OCSPP) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorate; Pesticide Exemptions from Tolerance'' (FRL No. 9986–85–OCSPP) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7558. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Golden Parachute and Indemnification Payments Final Rule'' (RIN2590–AA99) received in the Office of the President of the Senate on December 18, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–7559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approvals; California; Feather River Air Quality Management District'' (FRL No. 9987–78–Region 9) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7560. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; AK: Fine Particulate Matter Infrastructure Requirements'' (FRL No. 9988–51–Region 10) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7561. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ID; West Silver Valley PM2.5 Clean Data Determination'' (FRL No. 9988–17–Region 10) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7562. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Illinois; Indiana; Revised Designation of Illinois and Indiana 2012 PM2.5 Unclassifiable Areas'' (FRL No. 9988–38–Region 5) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7563. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Illinois; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone Standard'' (FRL No. 9988–37–Region 5) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7564. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; North Carolina: NOx Rule Revisions'' (FRL No. 9988–25–Region 4) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7565. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; WA: Updates to Materials Incorporated by Reference'' (FRL No. 9987–76–Region 10) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7566. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Direct Final Rule: Air Plan Approval; Illinois; NAAQS and VOC Updates'' (FRL No. 9988–04–Region 5) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7567. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Louisiana: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9987–30–Region 6) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7568. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Dakota Department of Environmental Quality'' Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9986–24–Region 8) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7569. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Approval of State Underground Storage Tank Program Revisions'' (FRL No. 9986–98–Region 8) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7570. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2018–0207–2018–0213); to the Committee on Foreign Relations.

EC–7571. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Removal of Final ADA Wellness Rule Vacated by the Court'' (RIN3046–AB01) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–7572. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Removal of Final GINA Wellness Rule Vacated by the Court'' (RIN3046–AB02) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–7573. A communication from the Acting Chief Privacy and Civil Liberties Officer, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation''' (CPCLO Order No. 006–2018) received in the Office of the President of the Senate on December 18, 2018; to the Committee on the Judiciary.

EC–7574. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2018 through September 30, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–7575. A communication from the Associate Administrator, Office of Congressional and Intergovernmental Affairs, General Services Administration, transmitting, pursuant to law, a report relative to the adjustment of the 2019 mileage reimbursement rates for Federal Employees who use Privately Owned Vehicles (POVs); to the Committee on Homeland Security and Governmental Affairs.

EC–7576. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–7577. A communication from the Assistant General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Reporting Multistate Independent Expenditures and Electioneering Communications'' (Notice 2018–17) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 3561, a bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes (Rept. No. 115–448).

Report to accompany S. 1995, a bill to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes (Rept. No. 115–449).

Report to accompany S. 1961, a bill to amend the Small Business Act to temporarily reauthorize certain pilot programs under the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes (Rept. No. 115–450).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 785, a bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans (Rept. No. 115–451).

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 526, a bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes (Rept. No. 115–452).

Report to accompany S. 3554, a bill to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans (Rept. No. 115–453).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCONNELL:

S. 3800. A bill to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''Orrin G. Hatch United States Courthouse''; considered and passed.

By Mr. CRUZ:

S. 3801. A bill to impose sanctions with respect to any entity of the Palestinian Authority, the Palestine Liberation Organization, or any successor or affiliated organization that is responsible for providing payments to Palestinian terrorists imprisoned for committing acts of terrorism against citizens of Israel or the United States, the families of such terrorists, or the families of Palestinian terrorists who died committing such acts of terrorism, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY (for herself, Mr. HATCH, Mr. KAINE, Mr. SCOTT, and Ms. BALDWIN):

S. 3802. A bill to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 3803. A bill to establish the San Rafael Swell Recreation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. Res. 739. A resolution congratulating the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship; considered and agreed to.

By Mr. CORNYN:

S. Res. 740. A resolution honoring the life of Admiral James A. Lyons; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 1906

At the request of Mr. MARKEY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Texas (Mr. CRUZ) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1906, a bill to posthumously

award the Congressional Gold Medal to each of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith in recognition of their contributions to the Nation.

S. 2274

At the request of Mr. CARDIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 2274, a bill to provide for the compensation of Federal employees affected by lapses in appropriations.

S. 3688

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 3688, a bill to amend title 18, United States Code, to make it a criminal offense for individuals to engage in sexual acts while acting under color of law or with individuals in their custody, to encourage States to adopt similar laws, and for other purposes.

S. 3742

At the request of Ms. SMITH, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3742, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for cost sharing for oral anticancer drugs on terms no less favorable than the cost sharing provided for anticancer medications administered by a health care provider.

S. RES. 734

At the request of Mr. MANCHIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 734, a resolution authorizing the Senate Legal Counsel to represent the Senate in Texas v. United States, No. 4:18-cv-00167-O (N.D. Tex.).

S. RES. 738

At the request of Mr. GRAHAM, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Delaware (Mr. COONS) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. Res. 738, a resolution expressing the sense of the Senate that the United States should continue its limited military activities within Syria and that ending such activities at this time would embolden ISIS, Bashar al-Assad, Iran, and Russia and put our Kurdish allies in great jeopardy.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 3800. A bill to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''Orrin G. Hatch United States Courthouse''; considered and passed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3800

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ORRIN G. HATCH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 351 South West Temple in Salt Lake City, Utah, shall be known and designated as the ''Orrin G. Hatch United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Orrin G. Hatch United States Courthouse''.

(c) EFFECTIVE DATE.—This Act shall take effect on January 3, 2019.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 739—CONGRATULATING THE MARYLAND TERRAPINS MEN'S SOCCER TEAM OF THE UNIVERSITY OF MARYLAND, COLLEGE PARK FOR WINNING THE 2018 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S SOCCER NATIONAL CHAMPIONSHIP

Mr. VAN HOLLEN (for himself and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 739

Whereas, on December 9, 2018, the Maryland Terrapins men's soccer team of the University of Maryland, College Park (referred to in this preamble as the ''University of Maryland Terps'') defeated the University of Akron Zips by a score of 1 to 0 in the 2018 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I national championship game;

Whereas the 2018 NCAA Division I national championship is the fourth national championship in the history of the men's soccer program at the University of Maryland, making the University of Maryland the sixth school in the United States to win 4 national men's soccer titles;

Whereas 3 of the 4 national men's soccer titles won by the University of Maryland Terps were won under the leadership of head coach Sasho Cirovski, who is the ninth coach in the United States to win 3 Division I national titles;

Whereas, in the last 11 games of the season, the University of Maryland Terps had 9 wins, 1 loss, and 1 draw, after starting the season with 4 wins, 5 losses, and 3 draws;

Whereas the University of Maryland Terps scored in each of the last 12 games of the season after not scoring in the first 476 minutes of the season;

Whereas the University of Maryland Terps finished the season without conceding a goal in the last 500 minutes of play, which includes the entire 2018 NCAA tournament;

Whereas the senior midfielder for the University of Maryland Terps, Amar Sejdic, was named the NCAA Tournament Offensive Most Outstanding Player;

Whereas Eli Crognale, Donovan Pines, Ben Di Rosa, and Dayne St. Clair were named to the All-Tournament Team;

Whereas Donovan Pines was named a United Soccer Coaches Second Team All-American; and

Whereas Amar Sejdic and Dayne St. Clair were named United Soccer Coaches All-Region selections: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship;

(2) recognizes the achievements of the players, coaches, students, and staff of the University of Maryland whose perseverance and dedication to excellence helped propel the Maryland Terrapins men's soccer team to win the championship; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the chancellor of the University System of Maryland, Robert L. Caret;

(B) the president of the University of Maryland, College Park, Wallace D. Loh; and

(C) the head coach of the University of Maryland, College Park men's soccer team, Sasho Cirovski.

SENATE RESOLUTION 740—HONORING THE LIFE OF ADMIRAL JAMES A. LYONS

Mr. CORNYN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 740

Whereas James A. Lyons, Admiral (Ret.), known to many as ''Ace'', the 49th Commander-in-Chief of the United States Pacific Fleet, retired from the Navy in 1987, after 36 distinguished years of service;

Whereas Admiral Lyons served in the United States Merchant Marine before attending the United States Naval Academy where he played football and graduated in 1952;

Whereas Admiral Lyons participated in multiple deployments in response to international crises, including a tour on the U.S.S. Salem during the Suez Crisis and the U.S.S. Miller which supported the landings of United States Marines in Lebanon;

Whereas Admiral Lyons served as the Commander of the United States Navy Second Fleet and NATO Striking Force Atlantic at the peak of the Cold War, providing critical leadership in combating Soviet global influence;

Whereas Admiral Lyons served as the Commander-in-Chief of the United States Pacific Fleet and the senior military representative of the United States to the United Nations;

Whereas Admiral Lyons provided steady leadership in times of crisis;

Whereas Admiral Lyons served with great distinction, earning the Distinguished Service Medal, the Defense Superior Service Medal, the Legion of Merit, the Humanitarian Service Medal, and many other decorations and awards;

Whereas Admiral Lyons received the Legion d'Honneur (rank of Officer) from France and the Order of National Security Merit (Tongil Medal) from the Republic of Korea;

Whereas Admiral Lyons was instrumental in bringing together nongovernmental humanitarian organizations, such as Project Hope, with the Navy to provide medical personnel to the hospital ships USNS Mercy and USNS Comfort, which travel the globe providing humanitarian assistance to impoverished and war-torn nations, as well as countries impacted by natural disasters;

Whereas Admiral Lyons' commitment to country and humanitarian purposes reflected great credit upon himself and was in keeping with the highest traditions of the United States Navy; and

Whereas, as we bid fair winds and following seas to Admiral Lyons, it is appropriate that

he be remembered as exemplifying the trademark characteristics exhibited by great leaders: Now, therefore, be it

Resolved, That the Senate—

(1) notes with deep sorrow and solemn mourning the death of Admiral James A. Lyons;

(2) extends heartfelt sympathy to the entire family of Admiral James A. Lyons for his death;

(3) honors and, on behalf of the United States, expresses deep appreciation for the outstanding and important service of Admiral James A. Lyons to the United States; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the family of Admiral James A. Lyons.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4175. Mr. SULLIVAN (for Mr. BARRASSO) proposed an amendment to the bill S. 512, to modernize the regulation of nuclear energy.

SA 4176. Mr. CRUZ (for himself, Mr. NELSON, and Mr. MARKEY) proposed an amendment to the bill S. 3277, to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

SA 4177. Mr. MCCONNELL (for Mr. BOOKER) proposed an amendment to the bill H.R. 6287, to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

SA 4178. Mr. MCCONNELL (for Mr. YOUNG) proposed an amendment to the bill S. 2432, to amend the charter of the Future Farmers of America, and for other purposes.

TEXT OF AMENDMENTS

SA 4175. Mr. SULLIVAN (for Mr. BARRASSO) proposed an amendment to the bill S. 512, to modernize the regulation of nuclear energy; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Nuclear Energy Innovation and Modernization Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. PURPOSE.

The purpose of this Act is to provide—

(1) a program to develop the expertise and regulatory processes necessary to allow innovation and the commercialization of advanced nuclear reactors;

(2) a revised fee recovery structure to ensure the availability of resources to meet industry needs without burdening existing licensees unfairly for inaccurate workload projections or premature existing reactor closures; and

(3) more efficient regulation of uranium recovery.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' means a nuclear fission or fusion reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act)), with significant improvements compared to commercial nuclear reactors under construction as of the date of enactment of this Act, including improvements such as—

(A) additional inherent safety features;

(B) significantly lower levelized cost of electricity;

(C) lower waste yields;

(D) greater fuel utilization;

(E) enhanced reliability;

(F) increased proliferation resistance;

(G) increased thermal efficiency; or

(H) ability to integrate into electric and nonelectric applications.

(2) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' means fuel for use in an advanced nuclear reactor or a research and test reactor, including fuel with a low uranium enrichment level of not greater than 20 percent.

(3) AGREEMENT STATE.—The term ''Agreement State'' means any State with which the Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(5) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(6) CONCEPTUAL DESIGN ASSESSMENT.—The term ''conceptual design assessment'' means an early-stage review by the Commission that—

(A) assesses preliminary design information for consistency with applicable regulatory requirements of the Commission;

(B) is performed on a set of topic areas agreed to in the licensing project plan; and

(C) is performed at a cost and schedule agreed to in the licensing project plan.

(7) CORPORATE SUPPORT COSTS.—The term ''corporate support costs'' means expenditures for acquisitions, administrative services, financial management, human resource management, information management, information technology, policy support, outreach, and training, as those categories are described and calculated in Appendix A of the Congressional Budget Justification for Fiscal Year 2018 of the Commission.

(8) LICENSING PROJECT PLAN.—The term ''licensing project plan'' means a plan that describes—

(A) the interactions between an applicant and the Commission; and

(B) project schedules and deliverables in specific detail to support long-range resource planning undertaken by the Commission and an applicant.

(9) REGULATORY FRAMEWORK.—The term ''regulatory framework'' means the framework for reviewing requests for certifications, permits, approvals, and licenses for nuclear reactors.

(10) REQUESTED ACTIVITY OF THE COMMISSION.—The term ''requested activity of the Commission'' means—

(A) the processing of applications for—

(i) design certifications or approvals;

(ii) licenses;

(iii) permits;

(iv) license amendments;

(v) license renewals;

(vi) certificates of compliance; and

(vii) power uprates; and

(B) any other activity requested by a licensee or applicant.

(11) RESEARCH AND TEST REACTOR.—

(A) IN GENERAL.—The term ''research and test reactor'' means a reactor that—

(i) falls within the licensing and related regulatory authority of the Commission under section 202 of the Energy Reorganization Act of 1974 (42 U.S.C. 5842); and

(ii) is useful in the conduct of research and development activities as licensed under section 104 c. of the Atomic Energy Act (42 U.S.C. 2134(c)).

(B) EXCLUSION.—The term ''research and test reactor'' does not include a commercial nuclear reactor.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(13) STANDARD DESIGN APPROVAL.—The term ''standard design approval'' means the approval of a final standard design or a major portion of a final design standard as described in subpart E of part 52 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(14) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—The term ''technology-inclusive regulatory framework'' means a regulatory framework developed using methods of evaluation that are flexible and practicable for application to a variety of reactor technologies, including, where appropriate, the use of risk-informed and performance-based techniques and other tools and methods.

(15) TOPICAL REPORT.—The term ''topical report'' means a document submitted to the Commission that addresses a technical topic related to nuclear reactor safety or design.

TITLE I—ADVANCED NUCLEAR REACTORS AND USER FEES

SEC. 101. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES THROUGH FISCAL YEAR 2020.

(a) IN GENERAL.—Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) amounts appropriated to the Commission for the fiscal year for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103 of the Nuclear Energy Innovation and Modernization Act.''.

(b) REPEAL.—Effective October 1, 2020, section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is repealed.

SEC. 102. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER.

(a) ANNUAL BUDGET JUSTIFICATION.—

(1) IN GENERAL.—In the annual budget justification submitted by the Commission to Congress, the Commission shall expressly identify anticipated expenditures necessary for completion of the requested activities of the Commission anticipated to occur during the applicable fiscal year.

(2) RESTRICTION.—Budget authority granted to the Commission for purposes of the requested activities of the Commission shall be used, to the maximum extent practicable, solely for conducting requested activities of the Commission.

(3) LIMITATION ON CORPORATE SUPPORT COSTS.—With respect to the annual budget justification submitted to Congress, corporate support costs, to the maximum extent practicable, shall not exceed the following percentages of the total budget authority of the Commission requested in the annual budget justification:

(A) 30 percent for each of fiscal years 2021 and 2022.

(B) 29 percent for each of fiscal years 2023 and 2024.

(C) 28 percent for fiscal year 2025 and each fiscal year thereafter.

(b) FEES AND CHARGES.—

(1) ANNUAL ASSESSMENT.—

(A) IN GENERAL.—Each fiscal year, the Commission shall assess and collect fees and charges in accordance with paragraphs (2) and (3) in a manner that ensures that, to the maximum extent practicable, the amount assessed and collected is equal to an amount that approximates—

(i) the total budget authority of the Commission for that fiscal year; less

(ii) the budget authority of the Commission for the activities described in subparagraph (B).

(B) EXCLUDED ACTIVITIES DESCRIBED.—The activities referred to in subparagraph (A)(ii) are the following:

(i) Any fee relief activity, as identified by the Commission.

(ii) Amounts appropriated for a fiscal year to the Commission—

(I) from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c));

(II) for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2601 note; Public Law 108–375);

(III) for the homeland security activities of the Commission (other than for the costs of fingerprinting and background checks required under section 149 of the Atomic Energy Act of 1954 (42 U.S.C. 2169) and the costs of conducting security inspections);

(IV) for the Inspector General services of the Commission provided to the Defense Nuclear Facilities Safety Board;

(V) for research and development at universities in areas relevant to the mission of the Commission; and

(VI) for a nuclear science and engineering grant program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

(iii) Costs for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103.

(C) EXCEPTION.—The exclusion described in subparagraph (B)(iii) shall cease to be effective on January 1, 2031.

(D) REPORT.—Not later than December 31, 2029, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the views of the Commission on the continued appropriateness and necessity of the funding described in subparagraph (B)(iii).

(2) FEES FOR SERVICE OR THING OF VALUE.—In accordance with section 9701 of title 31, United States Code, the Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

(3) ANNUAL CHARGES.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in subparagraph (D), the Commission may charge to any licensee or certificate holder of the Commission an annual charge in addition to the fees assessed and collected under paragraph (2).

(B) CAP ON ANNUAL CHARGES OF CERTAIN LICENSEES.—

(i) OPERATING REACTORS.—The annual charge under subparagraph (A) charged to an operating reactor licensee, to the maximum extent practicable, shall not exceed the annual fee amount per operating reactor licensee established in the final rule of the Commission entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' (80 Fed. Reg. 37432 (June 30, 2015)), as may be adjusted annually by the Commission to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(ii) WAIVER.—The Commission may waive, for a period of 1 year, the cap on annual charges described in clause (i) if the Commission submits to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a written determination that the cap on annual charges may compromise the safety and security mission of the Commission.

(C) AMOUNT PER LICENSEE.—

(i) IN GENERAL.—The Commission shall establish by rule a schedule of annual charges fairly and equitably allocating the aggregate amount of charges described in subparagraph (A) among licensees and certificate holders.

(ii) REQUIREMENT.—The schedule of annual charges under clause (i)—

(I) to the maximum extent practicable, shall be reasonably related to the cost of providing regulatory services; and

(II) may be based on the allocation of the resources of the Commission among licensees or certificate holders or classes of licensees or certificate holders.

(D) EXEMPTION.—

(i) DEFINITION OF RESEARCH REACTOR.—In this subparagraph, the term ''research reactor'' means a nuclear reactor that—

(I) is licensed by the Commission under section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation at a thermal power level of not more than 10 megawatts; and

(II) if licensed under subclause (I) for operation at a thermal power level of more than 1 megawatt, does not contain—

(aa) a circulating loop through the core in which the licensee conducts fuel experiments;

(bb) a liquid fuel loading; or

(cc) an experimental facility in the core in excess of 16 square inches in cross-section.

(ii) EXEMPTION.—Subparagraph (A) shall not apply to the holder of any license for a federally owned research reactor used primarily for educational training and academic research purposes.

(c) PERFORMANCE AND REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall develop for the requested activities of the Commission—

(A) performance metrics; and

(B) milestone schedules.

(2) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION.—The Executive Director for Operations of the Commission shall inform the Commission of a delay in issuance of the final safety evaluation for a requested activity of the Commission by the completion date required by the performance metrics or milestone schedule under paragraph (1) by not later than 30 days after the completion date.

(3) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION EXCEEDING 180 DAYS.—If the final safety evaluation for the requested activity of the Commission described in paragraph (2) is not completed by the date that is 180 days after the completion date required by the performance metrics or milestone schedule under paragraph (1), the Commission shall submit to the appropriate congressional committees a timely report describing the delay, including a detailed explanation accounting for the delay and a plan for timely completion of the final safety evaluation.

(d) ACCURATE INVOICING.—With respect to invoices for fees described in subsection (b)(2), the Commission shall—

(1) ensure appropriate review and approval prior to the issuance of invoices;

(2) develop and implement processes to audit invoices to ensure accuracy, transparency, and fairness; and

(3) modify regulations to ensure fair and appropriate processes to provide licensees and applicants an opportunity to efficiently dispute or otherwise seek review and correction of errors in invoices for those fees.

(e) REPORT.—Not later than September 30, 2021, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the implementation of this section, including any impacts and recommendations for improvement.

(f) EFFECTIVE DATE.—Except as provided in subsection (c), this section takes effect on October 1, 2020.

SEC. 103. ADVANCED NUCLEAR REACTOR PROGRAM.

(a) LICENSING.—

(1) STAGED LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 270 days after the date of enactment of this Act, the Commission shall develop and implement, within the existing regulatory framework, strategies for—

(A) establishing stages in the licensing process for commercial advanced nuclear reactors; and

(B) developing procedures and processes for—

(i) using a licensing project plan; and

(ii) optional use of a conceptual design assessment.

(2) RISK-INFORMED LICENSING.—Not later than 2 years after the date of enactment of this Act, the Commission shall develop and implement, where appropriate, strategies for the increased use of risk-informed, performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within the existing regulatory framework, including evaluation techniques and guidance for the resolution of the following:

(A) Applicable policy issues identified during the course of review by the Commission of a commercial advanced nuclear reactor licensing application.

(B) The issues described in SECY–93–092 and SECY–15–077, including—

(i) licensing basis event selection and evaluation;

(ii) source terms;

(iii) containment performance; and

(iv) emergency preparedness.

(3) RESEARCH AND TEST REACTOR LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 2 years after the date of enactment of this

Act, the Commission shall develop and implement strategies within the existing regulatory framework for licensing research and test reactors, including the issuance of guidance.

(4) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—Not later than December 31, 2027, the Commission shall complete a rulemaking to establish a technology-inclusive, regulatory framework for optional use by commercial advanced nuclear reactor applicants for new reactor license applications.

(5) TRAINING AND EXPERTISE.—As soon as practicable after the date of enactment of this Act, the Commission shall provide for staff training or the hiring of experts, as necessary—

(A) to support the activities described in paragraphs (1) through (4); and

(B) to support preparations—

(i) to conduct pre-application interactions; and

(ii) to review commercial advanced nuclear reactor license applications.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission to carry out this subsection $14,420,000 for each of fiscal years 2020 through 2024.

(b) REPORT TO ESTABLISH STAGES IN THE COMMERCIAL ADVANCED NUCLEAR REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for expediting and establishing stages in the licensing process for commercial advanced nuclear reactors that will allow implementation of the licensing process by not later than 2 years after the date of enactment of this Act (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for implementing strategies to establish stages in the licensing process for commercial advanced nuclear reactor technologies.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A)(i) the unique aspects of commercial advanced nuclear reactor licensing, including the use of alternative coolants, operation at or near atmospheric pressure, and the use of passive safety strategies;

(ii) strategies for the qualification of advanced nuclear reactor fuel, including the use of computer modeling and simulation and experimental validation; and

(iii) for the purposes of predictable, efficient, and timely reviews, any associated legal, regulatory, and policy issues the Commission should address with regard to the licensing of commercial advanced nuclear reactor technologies;

(B) options for licensing commercial advanced nuclear reactors under the regulations of the Commission contained in title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act), including—

(i) the development and use under the regulatory framework of the Commission in effect on the date of enactment of this Act of a licensing project plan that could establish—

(I) milestones that—

(aa) correspond to stages of a licensing process for the specific situation of a commercial advanced nuclear reactor project; and

(bb) use knowledge of the ability of the Commission to review certain design aspects; and

(II) guidelines defining the roles and responsibilities between the Commission and the applicant at the onset of the interaction—

(aa) to provide the foundation for effective communication and effective project management; and

(bb) to ensure efficient progress;

(ii) the use of topical reports, standard design approval, and other appropriate mechanisms as tools to introduce stages into the commercial advanced nuclear reactor licensing process, including how the licensing project plan might structure the use of those mechanisms;

(iii) collaboration with standards-setting organizations to identify specific technical areas for which new or updated standards are needed and providing assistance if appropriate to ensure the new or updated standards are developed and finalized in a timely fashion;

(iv) the incorporation of consensus-based codes and standards developed under clause (iii) into the regulatory framework—

(I) to provide predictability for the regulatory processes of the Commission; and

(II) to ensure timely completion of specific licensing actions;

(v) the development of a process for, and the use of, conceptual design assessments; and

(vi) identification of any policies and guidance for staff that will be needed to implement clauses (i) and (ii);

(C) options for improving the efficiency, timeliness, and cost-effectiveness of licensing reviews of commercial advanced nuclear reactors, including opportunities to minimize the delays that may result from any necessary amendment or supplement to an application;

(D) options for improving the predictability of the commercial advanced nuclear reactor licensing process, including the evaluation of opportunities to improve the process by which application review milestones are established and met; and

(E) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(c) REPORT TO INCREASE THE USE OF RISK-INFORMED AND PERFORMANCE-BASED EVALUATION TECHNIQUES AND REGULATORY GUIDANCE.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for increasing, where appropriate, the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for implementing a strategy to increase the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to develop and implement, where appropriate, risk-informed and performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within existing regulatory frameworks not later than 2 years after the date of enactment of this Act, including policies and guidance for the resolution of—

(i) issues relating to—

(I) licensing basis event selection and evaluation;

(II) use of mechanistic source terms;

(III) containment performance;

(IV) emergency preparedness; and

(V) the qualification of advanced nuclear reactor fuel; and

(ii) other policy issues previously identified; and

(B) the extent to which Commission action is needed to implement any part of the report.

(d) REPORT TO PREPARE THE RESEARCH AND TEST REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for preparing the licensing process for research and test reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for preparing the licensing process for research and test reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the unique aspects of research and test reactor licensing and any associated legal, regulatory, and policy issues the Commission should address to prepare the licensing process for research and test reactors;

(B) the feasibility of developing guidelines for advanced reactor demonstrations and prototypes to support the review process for advanced reactors designs, including designs that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(C) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(e) REPORT TO COMPLETE A RULEMAKING TO ESTABLISH A TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR OPTIONAL USE BY COMMERCIAL ADVANCED NUCLEAR REACTOR TECHNOLOGIES IN NEW REACTOR LICENSE APPLICATIONS AND TO ENHANCE COMMISSION EXPERTISE RELATING TO ADVANCED NUCLEAR REACTOR TECHNOLOGIES.—

(1) REPORT REQUIRED.—Not later than 30 months after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report (referred to in this subsection as the ''report'') for—

(A) completing a rulemaking to establish a technology-inclusive regulatory framework for optional use by applicants in licensing commercial advanced nuclear reactor technologies in new reactor license applications; and

(B) ensuring that the Commission has adequate expertise, modeling, and simulation capabilities, or access to those capabilities,

to support the evaluation of commercial advanced reactor license applications, including the qualification of advanced nuclear reactor fuel.

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for developing and implementing a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies, including completion of a rulemaking.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to complete a rulemaking to establish a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies by December 31, 2027;

(B) the extent to which additional legislation, or Commission action or modification of policy, is needed to implement any part of the new regulatory framework;

(C) the need for additional Commission expertise, modeling, and simulation capabilities, or access to those capabilities, to support the evaluation of licensing applications for commercial advanced nuclear reactors and research and test reactors, including applications that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(D) the budgets and timeframes for acquiring or accessing the necessary expertise to support the evaluation of license applications for commercial advanced nuclear reactors and research and test reactors.

SEC. 104. BAFFLE-FORMER BOLT GUIDANCE.

(a) REVISIONS TO GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Commission shall publish any necessary revisions to the guidance on the baseline examination schedule and subsequent examination frequency for baffle-former bolts in pressurized water reactors with down-flow configurations.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees—

(1) a report explaining any revisions made to the guidance described in subsection (a); or

(2) if no revisions were made, a report explaining why the guidance, as in effect on the date of submission of the report, is sufficient.

SEC. 105. EVACUATION REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report describing the actions the Commission has taken, or plans to take, to consider lessons learned since September 11, 2001, Superstorm Sandy, Fukushima, and other recent natural disasters regarding directed or spontaneous evacuations in densely populated urban and suburban areas.

(b) INCLUSIONS.—The report under subsection (a) shall—

(1) describe the actions of the Commission—

(A) to consider the results from—

(i) the State-of-the-Art Reactor Consequence Analyses project; and

(ii) the current examination by the Commission of emergency planning zones for small modular reactors and advanced nuclear reactors; and

(B) to monitor international reviews, including reviews conducted by—

(i) the United Nations Scientific Committee on the Effects of Atomic Radiation;

(ii) the World Health Organization; and

(iii) the Fukushima Health Management Survey; and

(2) with respect to a disaster similar to a disaster described in subsection (a), include information about—

(A) potential shadow evacuations in response to the disaster; and

(B) what levels of self-evacuation should be expected during the disaster, including outside the 10-mile evacuation zone.

(c) CONSULTATION REQUIRED.—The report under subsection (a) shall be prepared after consultation with—

(1) the Federal Radiological Preparedness Coordinating Committee;

(2) State emergency planning officials from States that the Commission determines to be relevant to the report; and

(3) experts in analyzing human behavior and probable responses to a radiological emission event.

SEC. 106. ENCOURAGING PRIVATE INVESTMENT IN RESEARCH AND TEST REACTORS.

(a) PURPOSE.—The purpose of this section is to encourage private investment in research and test reactors.

(b) RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) in the first sentence, by striking ''and which are not facilities of the type specified in subsection 104 b.'' and inserting a period; and

(2) by adding at the end the following: ''The Commission is authorized to issue licenses under this section for utilization facilities useful in the conduct of research and development activities of the types specified in section 31 in which the licensee sells research and testing services and energy to others, subject to the condition that the licensee shall recover not more than 75 percent of the annual costs to the licensee of owning and operating the facility through sales of nonenergy services, energy, or both, other than research and development or education and training, of which not more than 50 percent may be through sales of energy.''.

SEC. 107. COMMISSION REPORT ON ACCIDENT TOLERANT FUEL.

(a) DEFINITION OF ACCIDENT TOLERANT FUEL.—In this section, the term ''accident tolerant fuel'' means a new technology that—

(1) makes an existing commercial nuclear reactor more resistant to a nuclear incident (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)); and

(2) lowers the cost of electricity over the licensed lifetime of an existing commercial nuclear reactor.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report describing the status of the licensing process of the Commission for accident tolerant fuel.

SEC. 108. REPORT IDENTIFYING BEST PRACTICES FOR ESTABLISHMENT AND OPERATION OF LOCAL COMMUNITY ADVISORY BOARDS.

(a) BEST PRACTICES REPORT.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publicly available, a report identifying best practices with respect to the establishment and operation of a local community advisory board to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect, including lessons learned from any such board in existence before the date of enactment of this Act.

(b) CONTENTS.—The report described in subsection (a) shall include—

(1) a description of—

(A) the topics that could be brought before a local community advisory board;

(B) how such a board's input could be used to inform the decision-making processes of stakeholders for various decommissioning activities;

(C) what interactions such a board could have with the Commission and other Federal regulatory bodies to support the board members' overall understanding of the decommissioning process and promote dialogue between the affected stakeholders and the licensee involved in decommissioning activities; and

(D) how such a board could offer opportunities for public engagement throughout all phases of the decommissioning process;

(2) a discussion of the composition of a local community advisory board; and

(3) best practices relating to the establishment and operation of a local community advisory board, including—

(A) the time of establishment of such a board;

(B) the frequency of meetings of such a board;

(C) the selection of board members;

(D) the term of board members;

(E) the responsibility for logistics required to support such a board's meetings and other routine activities; and

(F) any other best practices relating to such a local community advisory board that are identified by the Commission.

(c) CONSULTATION.—In developing the report described under subsection (a), the Commission shall consult with any host State, any community within the emergency planning zone of an applicable nuclear power reactor, and any existing local community advisory board.

(d) PUBLIC MEETINGS.—

(1) IN GENERAL.—The consultation required under subsection (c) shall include public meetings.

(2) PUBLIC PARTICIPATION.—The public meetings under paragraph (1) shall be conducted under the requirements applicable to category 3 meetings under the policy statement of the Commission entitled ''Enhancing Public Participation in NRC Meetings; Policy Statement'' (67 Fed. Reg. 36920 (May 28, 2002)) (or a successor policy statement).

(3) NUMBER OF MEETINGS.—

(A) IN GENERAL.—The Commission shall conduct not less than 10 public meetings under paragraph (1) in locations that ensure geographic diversity across the United States.

(B) PRIORITY.—In determining locations in which to conduct a public meeting under subparagraph (A), the Commission shall give priority to States that—

(i) have a nuclear power reactor currently undergoing the decommissioning process; and

(ii) request a public meeting under this paragraph.

(4) WRITTEN SUMMARY.—The report under subsection (a) shall include a written summary of the public meetings conducted under paragraph (1).

SEC. 109. REPORT ON STUDY RECOMMENDATIONS.

Not later than 90 days after the date of enactment of this Act, the Commission shall submit to Congress a report describing the status of addressing and implementing the recommendations contained in the memorandum of the Executive Director of Operations of the Commission entitled ''Tasking

in Response to the Assessment of the Considerations Identified in a 'Study of Reprisal and Chilling Effect for Raising Mission-Related Concerns and Differing Views at the Nuclear Regulatory Commission' '' and dated June 19, 2018 (ADAMS Accession No.: ML18165A296).

TITLE II—URANIUM

SEC. 201. URANIUM RECOVERY REPORT.

Not later than 90 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report describing—

(1) the duration of uranium recovery license issuance and amendment reviews; and

(2) recommendations to improve efficiency and transparency of uranium recovery license issuance and amendment reviews.

SEC. 202. PILOT PROGRAM FOR URANIUM RECOVERY FEES.

Not later than 1 year after the date of enactment of this Act, the Commission shall—

(1) complete a voluntary pilot initiative to determine the feasibility of the establishment of a flat fee structure for routine licensing matters relating to uranium recovery; and

(2) provide to the appropriate congressional committees a report describing the results of the pilot initiative under paragraph (1).

SA 4176. Mr. CRUZ (for himself, Mr. NELSON, and Mr. MARKEY) proposed an amendment to the bill S. 3277, to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Space Frontier Act of 2019''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ISS.—The term ''ISS'' means the International Space Station.

(2) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(3) NOAA.—The term ''NOAA'' means the National Oceanic and Atmospheric Administration.

TITLE I—STREAMLINING OVERSIGHT OF LAUNCH AND REENTRY ACTIVITIES

SEC. 101. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting ''(b) AUTHORIZATION OF APPROPRIATIONS.—'' before ''There'' and indenting appropriately; and

(2) by inserting before subsection (b), the following:

''(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Assistant Secretary for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.''.

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''6'' and inserting ''7''; and

(2) in subparagraph (A), by inserting ''Assistant Secretary for Commercial Space Transportation,'' after ''Assistant Secretary for Research and Technology,''.

SEC. 102. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation should make use of existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit, and promote commercial space launch and reentry.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) APPLICATIONS.—A person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

''(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than the applicable deadline described in subparagraph (C), shall issue or transfer a license if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter.

''(C) APPLICABLE DEADLINE.—The applicable deadline described in this subparagraph shall be—

''(i) for an applicant that was or is a holder of any license under this chapter, not later than 90 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(D) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than—

''(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for an applicant described in subparagraph (C)(ii), 120 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(E) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within an applicable deadline established by this subsection.''; and

(B) in paragraph (2)—

(i) by inserting ''PROCEDURES FOR SAFETY APPROVALS.—'' before ''In carrying out'';

(ii) by inserting ''software,'' after ''services,''; and

(iii) by adding at the end the following: ''Such safety approvals may be issued simultaneously with a license under this chapter.''; and

(2) by adding at the end the following:

''(e) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

(c) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

''(e) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.''.

SEC. 103. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

''(j) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

SEC. 104. SPACE-RELATED ADVISORY RULEMAKING COMMITTEES.

Section 50903 of title 51, United States Code, is amended by adding at the end the following:

''(e) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to such space-related rulemaking committees under the Secretary's jurisdiction as the Secretary shall designate.''.

SEC. 105. GOVERNMENT-DEVELOPED SPACE TECHNOLOGY.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking ''and encouraging''.

SEC. 106. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States

commercial space launch sector in its innovation of launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

(1) IN GENERAL.—Not later than February 1, 2019, the Secretary of Transportation shall issue a notice of proposed rulemaking to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purposes described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that—

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary, industry technical standards that complement the high-level performance requirements established under subparagraph (D); and

(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E).

(d) CONSULTATION.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) Secretary of Defense.

(2) Administrator of NASA.

(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) CONTENTS.—The report shall include—

(A) milestones and a schedule to meet the objective of this section;

(B) a description of any Federal agency resources necessary to meet the objective of this section;

(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and

(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 107. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) OVERSIGHT AND COORDINATION.—

(1) IN GENERAL.—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall take such action as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application set that satisfies those requirements and expedites the coordination of commercial launch and reentry services.

(2) CHAPTER 509.—

(A) PURPOSES.—Section 50901 of title 51, United States Code, is amended by inserting ''all'' before ''commercial launch and reentry operations''.

(B) GENERAL AUTHORITY.—Section 50903(b) of title 51, United States Code, is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively; and

(ii) by inserting before paragraph (3), as redesignated, the following:

''(1) consistent with this chapter, authorize, license, and oversee the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;

''(2) if an application for a license or permit under this chapter includes launch or reentry at a Defense range, coordinate with the Secretary of Defense, or designee, to protect any national security interest relevant to such activity, including any necessary mitigation measure to protect Department of Defense property and personnel;''.

(3) EFFECTIVE DATE.—This subsection takes effect on the date the final rule under section 107(c) of this Act is published in the Federal Register.

(b) RULES OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to affect—

(1) section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note); or

(2) the authority of the Secretary of Defense as it relates to safety and security related to launch or reentry at a Defense range.

(c) TECHNICAL AMENDMENT; REPEAL REDUNDANT LAW.—Section 113 of the U.S. Commercial Space Launch Competitiveness Act (Public Law 114–90; 129 Stat. 704) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 108. STUDY ON JOINT USE OF SPACEPORTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Transportation shall, in consultation with the Secretary of Defense, conduct a study of the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers; and

(2) submit the results of the study to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Science, Space, and Technology and the Committee on Armed Services of the House of Representatives.

(b) CONSIDERATIONS.—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including approval procedures for the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

SEC. 109. AIRSPACE INTEGRATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) identify and review the current policies and tools used to integrate launch and reentry (as those terms are defined in section 50902 of title 51, United States Code) into the national airspace system;

(2) consider whether the policies and tools identified in paragraph (1) need to be updated to more efficiently and safely manage the national airspace system; and

(3) submit to the appropriate committees of Congress a report on the findings under paragraphs (1) and (2), including recommendations for how to more efficiently and safely manage the national airspace system.

(b) CONSULTATION.—In conducting the review under subsection (a), the Secretary shall consult with such members of the commercial space launch and reentry sector and commercial aviation sector as the Secretary considers appropriate to ensure adequate representation across those industries.

(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE II—STREAMLINING OVERSIGHT OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

SEC. 201. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending paragraph (12) to read as follows:

''(12) UNENHANCED DATA.—The term 'unenhanced data' means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.'';

(B) by redesignating paragraphs (12) and (13) as paragraphs (18) and (19), respectively;

(C) by redesignating paragraph (11) as paragraph (15);

(D) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(E) by inserting after paragraph (3), the following:

''(4) EARTH OBSERVATION ACTIVITY.—The term 'Earth observation activity' means a space activity the primary purpose of which

is to collect data that can be processed into imagery of the Earth or of man-made objects orbiting the Earth.'';

(F) by inserting after paragraph (11), as redesignated, the following:

''(12) NONGOVERNMENTAL EARTH OBSERVATION ACTIVITY.—The term 'nongovernmental Earth observation activity' means an Earth observation activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

''(13) ORBITAL DEBRIS.—The term 'orbital debris' means any space object that is placed in space or derives from a space object placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

''(14) PERSON.—The term 'person' means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.''; and

(G) by inserting after paragraph (15), as redesignated, the following:

''(16) SPACE ACTIVITY.—

''(A) IN GENERAL.—The term 'space activity' means any activity that is conducted in space.

''(B) INCLUSIONS.—The term 'space activity' includes any activity conducted on a celestial body, including the Moon.

''(C) EXCLUSIONS.—The term 'space activity' does not include any activity that is conducted entirely on board or within a space object and does not affect another space object.

''(17) SPACE OBJECT.—The term 'space object' means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.'';

(2) by amending subchapter III to read as follows:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''§ 60121. Purposes

''The purposes of this subchapter are—

''(1) to prevent, to the extent practicable, harmful interference to space activities by nongovernmental Earth observation activities;

''(2) to manage risk and prevent harm to United States national security;

''(3) to ensure consistency with international obligations of the United States; and

''(4) to promote the leadership, industrial innovation, and international competitiveness of the United States.

''§ 60122. General authority

''(a) IN GENERAL.—The Secretary shall carry out this subchapter.

''(b) FUNCTIONS.—In carrying out this subchapter, the Secretary shall consult with—

''(1) the Secretary of Defense;

''(2) the Director of National Intelligence; and

''(3) the head of such other Federal department or agency as the Secretary considers necessary.

''§ 60123. Administrative authority of Secretary

''(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

''(1) grant, condition, or transfer licenses under this chapter;

''(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

''(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

''(4) compromise, modify, or remit any such civil penalty;

''(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

''(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

''(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

''(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

''§ 60124. Authorization to conduct nongovernmental Earth observation activities

''(a) REQUIREMENT.—No person may conduct any nongovernmental Earth observation activity without an authorization issued under this subchapter.

''(b) WAIVERS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the head of such other Federal agency as the Secretary considers appropriate, may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 60121.

''(2) STANDARDS.—Not later than 120 days after the date of enactment of the Space Frontier Act of 2019, the Secretary shall establish standards, in consultation with the Secretary of Defense and the head of such other Federal agency as the Secretary considers appropriate, for determining de minimis Earth observation activities that would be eligible for a waiver under paragraph (1).

''(c) COVERAGE OF AUTHORIZATION.—The Secretary shall, to the maximum extent practicable, require a single authorization for a person—

''(1) to conduct multiple Earth observation activities using a single space object;

''(2) to operate multiple space objects carrying out substantially similar Earth observation activities; or

''(3) to use multiple space objects to carry out a single Earth observation activity.

''(d) APPLICATION.—

''(1) IN GENERAL.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 60121, including—

''(A) a description of the proposed Earth observation activity, including—

''(i) a physical and functional description of each space object;

''(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

''(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

''(B) a plan to prevent orbital debris consistent with the 2001 United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

''(C) a description of the capabilities of each instrument to be used to observe the Earth in the conduct of the Earth observation activity.

''(2) APPLICATION STATUS.—Not later than 14 days after the date of receipt of an application, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of that determination, including, if incomplete, the reason the application is incomplete.

''(e) REVIEW.—

''(1) IN GENERAL.—Not later than 90 days after the date that the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing whether the application was approved, with or without conditions, or denied.

''(2) APPROVALS.—The Secretary shall approve an application under this subsection if the Secretary determines that—

''(A) the Earth observation activity is consistent with the purposes described in section 60121; and

''(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

''(3) DENIALS.—

''(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

''(i) shall include in the notification under paragraph (1)—

''(I) a reason for the denial; and

''(II) a description of each deficiency, including guidance on how to correct the deficiency;

''(ii) shall sign the notification under paragraph (1);

''(iii) may not delegate the duty under clause (ii); and

''(iv) shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of the notification.

''(B) INTERAGENCY REVIEW.—Not later than 3 days after the date that the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall consult with the head of each Federal department and agency described in section 60122(b) and if any head of such Federal department or agency does not support approving the application—

''(i) that head of another Federal department or agency—

''(I) not later than 60 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support, including a description of each deficiency and guidance on how to correct the deficiency;

''(II) shall sign the notification under subclause (I); and

''(III) may not delegate the duty under subclause (II), except the Secretary of Defense may delegate the duty under subclause (II) to an Under Secretary of Defense; and

''(ii) subject to all applicable laws, the Secretary shall include the notification under clause (i) in the notification under paragraph (1), including classified information if—

''(I) the Secretary of Defense or Director of National Intelligence, as appropriate, determines that disclosure of the classified information is appropriate; and

''(II) the applicant has the required security clearance for that classified information.

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i)(I) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the application.

''(D) INTERAGENCY DISSENTS.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subsection, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

''(E) DEFICIENCIES.—The Secretary shall—

''(i) provide each applicant under this paragraph with a reasonable opportunity—

''(I) to correct each deficiency identified under subparagraph (A)(i)(II); and

''(II) to resubmit a corrected application for reconsideration; and

''(ii) not later than 30 days after the date of receipt of a corrected application under clause (i)(II), make a determination whether to approve the application or not, in consultation with—

''(I) each head of another Federal department or agency that submitted a notification under subparagraph (B); and

''(II) the head of such other Federal department or agency as the Secretary considers necessary.

''(F) IMPROPER BASIS FOR DENIAL.—

''(i) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity from competition.

''(ii) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities—

''(I) are commercially available; or

''(II) are reasonably expected to be made commercially available, not later than 3 years after the date of the application, in the international or domestic marketplace.

''(iii) APPLICABILITY.—The prohibition under clause (ii)(II) shall apply whether the marketplace products and services originate from the operation of aircraft, uncrewed aircraft, or other platforms or technical means or are assimilated from a variety of data sources.

''(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

''(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2) of this section and section 60122(b), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

''(f) ADDITIONAL REQUIREMENTS.—An authorization issued under this subchapter shall require the authorized person—

''(1) to be in compliance with this subchapter;

''(2) to notify the Secretary of any significant change in the information contained in the application; and

''(3) to make available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and on reasonable commercial terms and conditions.

''(g) PROHIBITION ON RETROACTIVE CONDITIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not modify any condition on, or add any condition to, an authorization under this subchapter after the date of the authorization.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be constructed to prohibit the Secretary from removing a condition on an authorization under this subchapter.

''(3) INTERAGENCY REVIEW.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (E), the Secretary or the head of a Federal department or agency described in section 60122(b) may, without delegation, propose the modification or addition of a condition to an authorization under this subchapter after the date of the authorization.

''(B) CONSULTATION REQUIREMENT.—Prior to making the modification or addition under subparagraph (A), the Secretary or the applicable head of the Federal department or agency shall consult with the head of each of the other Federal departments and agencies described in section 60122(b) and if any head of such Federal department or agency does not support such modification or addition that head of another Federal department or agency—

''(i) not later than 60 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support;

''(ii) shall sign the notification under clause (i); and

''(iii) may not delegate the duty under clause (ii).

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the modification or addition under subparagraph (A).

''(D) INTERAGENCY DISSENTS.—If the head of a Federal department or agency described in subparagraph (A) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (A) with respect to such modification or addition under this paragraph, the Secretary shall submit the matter to the President, who shall resolve the dispute.

''(E) NOTICE.—Prior to making a modification or addition under subparagraph (A), the Secretary or the head of the Federal department or agency, as applicable, shall—

''(i) provide notice to the licensee of the reason for the proposed modification or addition, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

''(ii) provide the licensee a reasonable opportunity to correct a deficiency identified in clause (i).

''§ 60125. Annual reports

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Space Frontier Act of 2019, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress in implementing this subchapter, including—

''(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

''(2) notwithstanding paragraph (4) of section 60124(e), a list of all applications, in the previous calendar year, for which the Secretary missed the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

''(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

''(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

''(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

''§ 60126. Regulations

''The Secretary may promulgate regulations to implement this subchapter.

''§ 60127. Relationship to other executive agencies and laws

''(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

''(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

''(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(2) the Secretary of Transportation under chapter 509 of this title.

''(c) NONAPPLICATION.—This subchapter does not apply to any space activity the United States Government carries out for the Government.''; and

(3) by amending section 60147 to read as follows:

''§ 60147. Consultation

''(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

''(b) CONSULTATION WITH SECRETARY OF STATE.—

''(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

''(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

''(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

''(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''60121. Purposes.
''60122. General authority.
''60123. Administrative authority of Secretary.
''60124. Authorization to conduct nongovernmental Earth observation activities.
''60125. Annual reports.
''60126. Regulations.
''60127. Relationship to other executive agencies and laws.''.

(c) RULES OF CONSTRUCTION.—

(1) Nothing in this section or the amendments made by this section shall affect any license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect before the date of enactment of this Act), before the date of enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense Authorization Act for Fiscal Year 1997 (51 U.S.C. 60121 note).

SEC. 202. RADIO-FREQUENCY MAPPING REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, shall complete and submit a report on space-based radio-frequency mapping to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Armed Services of the Senate;

(4) the Committee on Science, Space, and Technology of the House of Representatives;

(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

(6) the Committee on Armed Services of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a discussion of whether a need exists to regulate space-based radio-frequency mapping;

(2) a description of any immitigable impacts of space-based radio-frequency mapping on national security, United States competitiveness and space leadership, or Constitutional rights;

(3) any recommendations for additional regulatory action regarding space-based radio-frequency mapping;

(4) a detailed description of the costs and benefits of the recommendations described in paragraph (3); and

(5) an evaluation of—

(A) whether the development of voluntary consensus industry standards in coordination with the Department of Defense is more appropriate than issuing regulations with respect to space-based radio-frequency mapping; and

(B) whether existing law, including regulations and policies, could be applied in a manner that prevents the need for additional regulation of space-based radio-frequency mapping.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE III—MISCELLANEOUS

SEC. 301. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) fair access to available NASA assets and services on a reimbursable, noninterference, equitable, and predictable basis is advantageous in enabling the United States commercial space industry;

(2) NASA should continue to promote fairness to all parties and ensure best value to the Federal Government in granting use of NASA assets, services, and capabilities in a manner that contributes to NASA's missions and objectives; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and academia.

(b) GUIDANCE FOR SMALL BUSINESS PARTICIPATION.—The Administrator of NASA shall—

(1) provide opportunities for the consideration of small business concerns during public-private partnership planning processes and in public-private partnership plans;

(2) invite the participation of each relevant director of an Office of Small and Disadvantaged Business Utilization under section 15(k) of the Small Business Act 915 U.S.C. 644(k) in public-private partnership planning processes and provide the director access to public-private partnership plans;

(3) not later than 90 days after the date of enactment of this Act—

(A) identify and establish a list of all NASA assets, services, and capabilities that are available, or will be available, for public-private partnership opportunities; and

(B) make the list under subparagraph (A) available on NASA's website, in a searchable format;

(4) periodically as needed, but not less than once per year, update the list and website under paragraph (3); and

(5) not later than 180 days after the date of enactment of this Act, develop a policy and issue guidance for a consistent, fair, and equitable method for scheduling and establishing priority of use of the NASA assets, services, and capabilities identified under this subsection.

(c) STRENGTHENING SMALL BUSINESS AWARENESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of NASA shall designate an official at each NASA Center—

(1) to serve as an advocate for small businesses within the office that manages partnerships at each Center; and

(2) to provide guidance to small businesses on how to participate in public-private partnership opportunities with NASA.

SEC. 302. LEASE OF NON-EXCESS PROPERTY.

Section 20145(g) of title 51, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

SEC. 303. MAINTAINING A NATIONAL LABORATORY IN SPACE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States national laboratory in space, which currently consists of the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space;

(3) in maintaining a national microgravity laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations;

(4) the national microgravity laboratory described in paragraph (2) should be maintained beyond the date that the ISS is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(b) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator deems relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

SEC. 304. PRESENCE IN LOW-EARTH ORBIT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit; and

(2) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(b) HUMAN PRESENCE REQUIREMENT.—NASA shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the ISS.

SEC. 305. CONTINUATION OF THE ISS.

(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(1) in the heading, by striking ''**2024**'' and inserting ''**2030**''; and

(2) by striking ''2024'' each place it appears and inserting ''2030''.

SEC. 306. UNITED STATES POLICY ON ORBITAL DEBRIS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that can be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to—

(1) protect the public health and safety;

(2) protect humans in space;

(3) protect the national security interests of the United States;

(4) protect the safety of property;

(5) protect space objects from interference; and

(6) protect the foreign policy interests of the United States.

SEC. 307. LOW-EARTH ORBIT COMMERCIALIZATION PROGRAM.

(a) PROGRAM AUTHORIZATION.—The Administrator of NASA may establish a low-Earth orbit commercialization program to encourage the fullest commercial use and development of space by the private sector of the United States.

(b) CONTENTS.—The program under subsection (a) may include—

(1) activities to stimulate demand for human space flight products and services in low-Earth orbit;

(2) activities to improve the capability of the ISS to accommodate commercial users; and

(3) subject to subsection (c), activities to accelerate the development of commercial space stations or commercial space habitats.

(c) CONDITIONS.—

(1) COST SHARE.—The Administrator shall give priority to an activity under subsection (b)(3) in which the private sector entity conducting the activity provides a share of the coast o develop and operate the activity.

(2) COMMERCIAL SPACE HABITAT.—The Administration may not engage in an activity under subsection (b)(3) until after the date that the Administrator of NASA awards a contract for the use of a docking port on the ISS.

(d) REPORTS.—Not later than 30 days after the date that an award or agreement is made under subsection (b)(3), the Administrator of NASA shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the development of the commercial space station or commercial space habitat, as applicable, including a business plan for how the activity will—

(1) meet NASA's future requirements for low-Earth orbit human space flight services; and

(2) satisfy the non-Federal funding requirement under subsection (c)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator of NASA to carry out a low-Earth commercialization program under this section $150,000,000 for fiscal year 2020.

SEC. 308. BUREAU OF SPACE COMMERCE.

(a) IN GENERAL.—Chapter 507 of title 51, United States Code, is amended—

(1) in the heading, by striking ''**OFFICE**'' and inserting ''**BUREAU**'';

(2) by amending section 50701 to read as follows:

''§ 50701. Definition of Bureau

''In this chapter, the term 'Bureau' means the Bureau of Space Commerce established in section 50702 of this title.'';

(3) in section 50702—

(A) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—There is established within the Department of Commerce a Bureau of Space Commerce.'';

(B) by amending subsection (b) to read as follows:

''(b) ASSISTANT SECRETARY.—The Bureau shall be headed by an Assistant Secretary for Space Commerce, to be appointed by the President with the advice and consent of the Senate and compensated at level II or III of the Executive Schedule, as determined by the Secretary of Commerce. The Assistant Secretary shall report directly to the Secretary of Commerce.'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''Office'' and inserting ''Bureau'';

(ii) in paragraph (2), by inserting '', including activities licensed under chapter 601 of this title'' before the semicolon; and

(iii) in paragraph (5), by striking ''Position,'' and inserting ''Positioning,''; and

(D) in subsection (d)—

(i) in the heading, by striking ''DIRECTOR'' and inserting ''ASSISTANT SECRETARY'';

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

(I) by striking ''Director'' and inserting ''Assistant Secretary''; and

(II) by striking ''Office shall'' and inserting ''Bureau shall, under the direction and supervision of the Secretary,'';

(iii) by redesignating paragraphs (1) through (7) as paragraphs (3) through (9), respectively; and

(iv) by inserting before paragraph (3), as redesignated, the following:

''(1) to oversee the issuing of licenses under chapter 601 of this title;

''(2) coordinating Department policy impacting commercial space activities and working with other executive agencies to promote policies that advance commercial space activities;''; and

(v) in paragraph (8), as redesignated, by inserting '', consistent with the international obligations, foreign policy, and national security interests of the United States'' before the semicolon;

(4) in section 50703—

(A) by striking ''Office'' and inserting ''Bureau''; and

(B) by striking ''Committee on Science and Technology of the House of Representatives'' and inserting ''Committee on Science, Space, and Technology of the House of Representatives''; and

(5) by adding at the end the following:

''§ 50704. Authorization of appropriations

''There is authorized to be appropriated to the Secretary of Commerce to carry out this chapter $10,000,000 for each of fiscal years 2020 through 2024.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents of chapter 507 of title 51, United States Code, is amended—

(A) in the item relating to section 50701, by striking ''Office'' and inserting ''Bureau''; and

(B) by adding after the item relating to section 50703 the following:

''50704. Authorization of appropriations.''.

(2) TABLE OF CHAPTERS.—The table of chapters of title 51, United States Code, is amended in the item relating to chapter 507 by striking ''Office'' and inserting ''Bureau''.

(3) COOPERATION WITH FORMER SOVIET REPUBLICS.—Section 218 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (51 U.S.C. 50702 note) is amended by striking ''Office'' each place it appears and inserting ''Bureau''.

SA 4177. Mr. MCCONNELL (for Mr. BOOKER) proposed an amendment to the bill H.R. 6287, to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001; as follows:

On page 2, lines 5 and 6, strike '', the Pentagon, and United Airlines Flight 93'' and insert ''and the Pentagon''.

SA 4178. Mr. MCCONNELL (for Mr. YOUNG) proposed an amendment to the bill S. 2432, to amend the charter of the Future Farmers of America, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National FFA Organization's Federal Charter Amendments Act''.

SEC. 2. ORGANIZATION.

Section 70901 of title 36, United States Code, is amended—

(1) in subsection (a), by striking ''corporation'' and inserting ''FFA''; and

(2) in subsection (b), by striking ''corporation'' and inserting ''FFA''.

SEC. 3. PURPOSES OF THE CORPORATION.

Section 70902 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''corporation'' and inserting ''FFA'';

(2) by redesignating paragraphs (1) and (2) as paragraphs (7) and (8), respectively;

(3) by striking paragraphs (3), (4), (6), and (7);

(4) by redesignating paragraph (5) as paragraph (11);

(5) by redesignating paragraphs (8) and (9) as paragraphs (12) and (13), respectively;

(6) by inserting before paragraph (7), as redesignated by paragraph (2), the following:

''(1) to be an integral component of instruction in agricultural education, including instruction relating to agriculture, food, and natural resources;

''(2) to advance comprehensive agricultural education in the United States, including in public schools, by supporting contextual classroom and laboratory instruction and work-based experiential learning;

''(3) to prepare students for successful entry into productive careers in fields relating to agriculture, food, and natural resources, including by connecting students to relevant postsecondary educational pathways and focusing on the complete delivery of classroom and laboratory instruction, work-based experiential learning, and leadership development;

''(4) to be a resource and support organization that does not select, control, or supervise State association, local chapter, or individual member activities;

''(5) to develop educational materials, programs, services, and events as a service to State and local agricultural education agencies;

''(6) to seek and promote inclusion and diversity in its membership, leadership, and staff to reflect the belief of the FFA in the value of all human beings;'';

(7) in paragraph (7), as redesignated by paragraph (2)—

(A) by striking ''composed of students and former students of vocational agriculture in public schools qualifying for Federal reimbursement under the Smith-Hughes Vocational Education Act (20 U.S.C. 11–15, 16–28''; and

(B) by inserting ''as such chapters and associations carry out agricultural education programs that are approved by States, territories, or possessions'' after ''United States'';

(8) in paragraph (8), as redesignated by paragraph (2)—

(A) by striking ''to develop'' and inserting ''to build'';

(B) by striking ''train for useful citizenship, and foster patriotism, and thereby'' and inserting ''and''; and

(C) by striking ''aggressive rural and'' and inserting ''assertive'';

(9) by inserting after paragraph (8), as redesignated by paragraph (2), the following:

''(9) to increase awareness of the global and technological importance of agriculture, food, and natural resources, and the way agriculture contributes to our well-being;

''(10) to promote the intelligent choice and establishment of a career in fields relating to agriculture, food, and natural resources;'';

(10) in paragraph (11), as redesignated by paragraph (4)—

(A) by striking ''to procure for and distribute to State'' and inserting ''to make available to State'';

(B) by inserting '', programs, services,'' before ''and equipment''; and

(C) by striking ''corporation'' and inserting ''FFA'';

(11) in paragraph (12), as redesignated by paragraph (5), by striking ''State boards for vocational'' and inserting ''State boards and officials for career and technical''; and

(12) in paragraph (13), as redesignated by paragraph (5), by striking ''corporation'' and inserting ''FFA''.

SEC. 4. MEMBERSHIP.

Section 70903(a) of title 36, United States Code, is amended—

(1) by striking ''corporation'' and inserting ''FFA''; and

(2) by striking ''as provided in the bylaws'' and inserting ''as provided in the constitution or bylaws of the FFA''.

SEC. 5. GOVERNING BODY.

Section 70904 of title 36, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''corporation'' and inserting ''FFA'' each place the term appears;

(B) by striking paragraphs (2) and (3) and inserting the following:

''(2) The board—

''(A) shall consist of—

''(i) the Secretary of Education, or the Secretary of Education's designee who has experience in agricultural education, the FFA, or career and technical education; and

''(ii) other individuals—

''(I) representing the fields of education, agriculture, food, and natural resources; or

''(II) with experience working closely with the FFA; and

''(B) shall not include any individual who is a current employee of the National FFA Organization.

''(3) The number of directors, terms of office of the directors, and the method of selecting the directors, are as provided in the constitution or bylaws of the FFA.''; and

(C) in paragraph (4)—

(i) in the first sentence, by striking ''bylaws'' and inserting ''constitution or bylaws of the FFA''; and

(ii) in the third sentence, by striking ''chairman'' and inserting ''chair'';

(2) by striking subsection (b); and

(3) by inserting after subsection (a) the following:

''(b) OFFICERS.—The officers of the FFA, the terms of officers, and the election of officers, are as provided in the constitution or bylaws of the FFA, except that such officers shall include—

''(1) a national advisor;

''(2) an executive secretary; and

''(3) a treasurer.

''(c) GOVERNING COMMITTEE.—

''(1) The board may designate a governing committee. The terms and method of selecting the governing committee members are as provided in the constitution or bylaws of the FFA, except that all members of the governing committee shall be members of the board of directors and at all times the governing committee shall be comprised of not less than 3 individuals.

''(2) When the board is not in session, the governing committee has the powers of the board subject to the board's direction and may authorize the seal of the FFA to be affixed to all papers that require it

''(3) The board shall designate to such committee—

''(A) the chair of the board;

''(B) the executive secretary of the board; and

''(C) the treasurer of the board.''.

SEC. 6. NATIONAL STUDENT OFFICERS.

Section 70905 of title 36, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

''(a) COMPOSITION.—There shall be not less than 6 national student officers of the FFA, including a student president, 4 student vice presidents (each representing regions as provided in the constitution or bylaws of the corporation), and a student secretary.'';

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 7. POWERS.

Section 70906 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''corporation'' and inserting ''FFA'';

(2) in paragraph (2), by striking ''corporate'';

(3) in paragraph (4), by striking ''corporation'' and inserting ''FFA'';

(4) in paragraph (6), by striking ''corporation'' and inserting ''FFA'';

(5) by amending paragraph (8) to read as follows:

''(8) use FFA funds to give prizes, awards, loans, and grants to deserving members, local FFA chapters, and State FFA associations to carry out the purposes of the FFA;'';

(6) by amending paragraph (9) to read as follows:

''(9) produce publications, websites, and other media;'';

(7) in paragraph (10)—

(A) by striking ''procure for and distribute to State'' and inserting ''make available to State''; and

(B) by striking ''Future Farmers of America'' and inserting ''FFA''; and

(8) in paragraph (12), by striking ''corporation'' and inserting ''FFA''.

SEC. 8. NAME, SEALS, EMBLEMS, AND BADGES.

Section 70907 of title 36, United States Code, is amended—

(1) by striking ''corporation'' and inserting ''FFA'' each place the term appears;

(2) by striking ''name'' and inserting ''names'';

(3) by striking '''Future Farmers of America''' and inserting '''Future Farmers of America' and 'National FFA Organization,''''; and

(4) by inserting ''education'' before ''membership''.

SEC. 9. RESTRICTIONS.

Section 70908 of title 36, United States Code, is amended—

(1) in subsection (a), by striking ''corporation'' and inserting ''FFA'';

(2) in subsection (b), by striking ''corporation or a director, officer, or member as such'' and inserting ''FFA or a director, officer, or member acting on behalf of the FFA'';

(3) in subsection (c), by striking ''corporation'' and inserting ''FFA'' each place the term appears; and

(4) in subsection (d), in the first sentence, by striking ''corporation'' and inserting ''FFA''.

SEC. 10. RELATIONSHIP TO FEDERAL AGENCIES.

Section 70909 of title 36, United States Code, is amended to read as follows:

''SEC. 70909. RELATIONSHIP TO FEDERAL AGENCIES.

''(a) IN GENERAL.—On request of the board of directors, the FFA may collaborate with Federal agencies, including the Department of Education and the Department of Agriculture on matters of mutual interest and benefit.

''(b) AGENCY ASSISTANCE.—Those Federal agencies may make personnel, services, and facilities available to administer or assist in the administration of the activities of the FFA.

''(c) AGENCY COMPENSATION.—Personnel of the Federal agencies may not receive compensation from the FFA for their services, except that travel and other legitimate expenses as defined by the Federal agencies and approved by the board may be paid.

''(d) COOPERATION WITH STATE BOARDS.—The Federal agencies also may cooperate with State boards and other organizations for career and technical education to assist in the promotion of activities of the FFA.''.

SEC. 11. HEADQUARTERS AND PRINCIPAL OFFICE.

Section 70910 of title 36, United States Code, is amended by striking ''of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but'' and inserting ''of the FFA shall be as provided in the constitution or bylaws of the FFA. The activities of the FFA''.

SEC. 12. RECORDS AND INSPECTION.

Section 709011 of title 36, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''corporation'' and inserting ''FFA''; and

(B) in paragraph (3), by striking ''entitled to vote''; and

(2) in subsection (b), by striking ''corporation'' and inserting ''FFA''.

SEC. 13. SERVICE OF PROCESS.

Section 70912 of title 36, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''DISTRICT OF COLUMBIA'' and inserting ''IN GENERAL'';

(B) by striking ''corporation'' and inserting ''FFA'' each place the term appears;

(C) by striking ''in the District of Columbia'' before ''to receive''; and

(D) by striking ''Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia''; and

(2) in subsection (b)—

(A) by striking ''corporation'' and inserting ''FFA'' each place the term appears; and

(B) by inserting ''of the FFA'' after ''association or chapter''.

SEC. 14. LIABILITY FOR ACTS OF OFFICERS OR AGENTS.

Section 70913 of title 36, United States Code, is amended by striking ''corporation'' and inserting ''FFA''.

SEC. 15. DISTRIBUTION OF ASSETS IN DISSOLUTION OR FINAL LIQUIDATION.

Section 70914 of title 36, United States Code, is amended—

(1) by striking ''corporation'' and inserting ''FFA''; and

(2) by striking ''vocational agriculture'' and inserting ''agricultural education''.

The PRESIDING OFFICER. The majority leader.

GLOBAL HEALTH INNOVATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 364, H.R. 1660.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1660) to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 1660) was ordered to a third reading, was read the third time, and passed.

9/11 MEMORIAL ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 587, H.R. 6287.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6287) to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4177) was agreed to as follows:

(Purpose: To modify the definition of the term ''covered memorial'')

On page 2, lines 5 and 6, strike '', the Pentagon, and United Airlines Flight 93'' and insert ''and the Pentagon''.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The bill (H.R. 6287), as amended, was passed.

NATIONAL FFA ORGANIZATION'S FEDERAL CHARTER AMENDMENTS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2432 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2432) to amend the charter of the Future Farmers of America, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

Without objection, it is so ordered.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Young substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4178), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 2432), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

JOHN HERVEY WHEELER UNITED STATES COURTHOUSE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 3460, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3460) to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the ''John Hervey Wheeler United States Courthouse.''

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3460) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING THE MARYLAND TERRAPINS MEN'S SOCCER TEAM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 739, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 739) congratulating the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 739) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

DISCHARGE AND REFERRAL—S. 3720

Mr. MCCONNELL. Mr. President, I ask unanimous consent that S. 3720 be discharged from the Commerce, Science, and Transportation Committee and referred to the Banking, Housing, and Urban Affairs Committee.

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

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader and the junior Senator from Indiana be authorized to sign duly enrolled bills or joint resolutions on Thursday, December 20 and Friday, December 21.

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

ORDERS FOR FRIDAY, DECEMBER 21, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Friday, December 21; further, that following the prayer and pledge, the morning hour be

deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ADJOURNMENT UNTIL TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:14 p.m., adjourned until Friday, December 21, 2018, at 12 noon.

EXTENSIONS OF REMARKS

HONORING DARIUS ASSEMI

HON. JEFF DENHAM
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Darius Assemi, a home builder, businessman, philanthropist, and Central Valley resident of more than 40 years. Darius has been a close friend and confidant for many years, including my time in the State Senate and here in the United States House of Representatives.

Darius is currently President and CEO of Granville Homes, a real estate development company established in 1977. Over the last 40 years, Granville Homes has built more than 6,000 single-family residences in the Fresno metropolitan area, and has been involved in the acquisition, financing, and development of over 100 construction projects. Through these experiences, Darius's knowledge of building codes and resilient construction has been an important influence on me as I have pursued disaster mitigation policies.

Darius is actively engaged in public policy work at the local and state level. He is passionate about legislation that affects transportation, agriculture, health care, education, and the environment. In 2009, Darius was appointed to the California Transportation Commission by Governor Schwarzenegger, and reappointed by Governor Brown in 2012. During his 6-year term, Darius was actively engaged with legislators and key stake holders in securing much-needed transportation funding for the Central Valley. In addition to public policy, Darius is driven to educate his fellow citizens about the complex issues that affect everyone in the community.

The lack of health care options available in the Central Valley and across the world is an issue that Darius and I have focused much of our time on. In 2009, he helped to establish the Alliance for Medical Outreach and Relief (AMOR), a non-profit with a mission to build healthier communities. AMOR constructed and continues to operate a 100-bed hospital in Kabul, Afghanistan that provides medical services and health education to over 80,000 people annually. High amongst Afshar Hospital's key accomplishments is their success in reducing the maternal and infant mortality rates in the Kabul metro area. In addition to their work in Afghanistan, AMOR is in the process of building a wellness clinic and community resource center to serve the impoverished Central Valley farming community of Mendota.

Darius views his various business endeavors as vehicles to further his true passion: helping to improve the lives of those in the community and around the world through strategic partnerships and philanthropic giving. The Granville Foundation's mission is to provide food, shelter, healthcare, and education to the underserved. In 2006, Darius initiated the Granville Home of Hope, a program in which a new home is raffled off, with 100 percent of the proceeds from ticket sales given to local non-profits. Over the last 12 years, the Granville Home of Hope has raised more than $5.2 million dollars, providing food, clothing, scholarships, and resources to those in need. In addition to Home of Hope, the Granville Foundation provides support to various organizations—in 2017 alone the foundation sponsored more than 70 non-profits.

I am proud to call Darius a friend and I am grateful for hi s companionship throughout my years in public service. Mr. Speaker, please join me in honoring and commending Darius Assemi for his outstanding contributions to the Central Valley, our state, and nation.

HONORING JERRY AND VIRGINIA MORALES' 65TH WEDDING ANNIVERSARY

HON. EMANUEL CLEAVER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and honor the marriage of two outstanding individuals who have contributed to the growing diversification and development of Kansas City and Missouri's Fifth Congressional District. In mid-July of 1951, Kansas City and its citizens were one of several areas that fell victim to major flooding in the Midwest United States. Following the ''Great Flood of 1951,'' and during a trying time in which communities were facing a variety of obstacles, including family relocation, Mr. Jerry Morales and Ms. Virginia Gloria Alvarez first met.

Following the devastating events that unfolded from the flood, Mr. and Mrs. Morales would soon meet again as teenagers in their shared place of employment to support and provide assistance to struggling families. Receiving the approval of both parents to marry, in 1953, the couple began their lifelong commitment to value, respect, and cherish one another.

To join their brothers and sisters, and to start a family of their own, the Mr. and Mrs. Morales relocated from the Westside Community of Kansas City, Missouri to the thriving Historic Northeast community. The opportunities provided by increased diversity and affordable housing contributed to their decision to relocate and, ultimately, thrive in the growing community.

Since their move, Mr. and Mrs. Morales have seen their family grow just as they wished when they first married. Their eleven children all live in the greater Kansas City area and have given Mr. and Mrs. Morales the large family they always dreamed of with 22 grandchildren, 19 greatgrandchildren, and four great-great-grandchildren.

Apart from being loving parents, grandparents, and great-grandparents, Mr. and Mrs. Morales share a history of being both politically and civically involved in the community. Mr. Morales was a two-time Golden Gloves champion, a boxing coach, and a referee. Furthermore, he grew up along Southwest Boulevard and went on to train other young, aspiring boxers in the community. Moreover, they continue to assist local organizations and contribute to the community through their longtime involvement with the Sheffield Neighborhood Association and as members at Our Lady of Peace Church.

Mr. and Mrs. Morales share their worldliness with their friends, family, and community. They have traveled the world in every way possible-by plane, train, canoe, and automobile. The couple have traveled from the Americas to Europe numerous times and have demonstrated their love of family by purchasing a home in Mexico for their family to spend quality time together.

Mr. Speaker, Mr. and Mrs. Morales are a shining example of what marriage is meant to be, as well as the power of civic engagement within a community. I urge all of my colleagues to please join me and all of Missouri's Fifth Congressional District in honoring the marriage between Mrs. Virginia Morales and Mr. Jerry Morales.

HONORING FRED FEHSENFELD, SR

HON. TODD ROKITA
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. ROKITA. Mr. Speaker, I rise today to honor a veteran, business leader, pillar of the community, and close friend, Fred Fehsenfeld, Sr. Fred passed away on November 28 at the age of 94.

Fred was the epitome of the Greatest Generation. Fred was born in Indianapolis in 1924, the third of four brothers. Fred enrolled at Purdue University at the age of 17. He found a passion for flying, joining the Purdue Glider Club and learning from, among others, Amelia Earhart. Ever the patriot, on his 18th birthday, Fred left Purdue and enrolled in the Army Air Corps. Just a few months later, he was assigned to the 354th Pioneer Mustang Fighter Group in France, a famous fighter group of P5I Mustangs and P47 Thunderbolts. Fred flew 89 missions in Europe and was awarded the Air Medal with three silver clusters and a silver star.

After the war was over, Fred returned to Purdue and graduated with a bachelor's degree in mechanical engineering. Fred began his career at Rock Island Refining as a Process Engineer. A few years later, he was asked by his dad, to join the original family business, Crystal Flash Petroleum, a company that operated gas stations and sold home heating oil.

He then took over the business from his father and showed his true entrepreneurial spirit. He grew Crystal Flash Petroleum from 100 employees, operating gas stations and home heating oil sales in Indiana and Michigan into what has evolved as The Heritage Group. The Heritage Group currently employs 6,500 people around the world, with operations across

North America, Europe and China. In 2017, in recognition for his work on behalf of the State of Indiana, I–895 was renamed the ''Fred M. Fehsenfeld Highway.''

I know his passion for improving our highways firsthand. He knew that America needed to change how we managed traffic and freight movement. This knowledge led to the creation of Critical Commerce Corridors. Critical Commerce Corridors are a simple idea that we separate cars and trucks using physical barriers. Fred presented this idea to me, and his enthusiasm convinced me that this idea was something our country should pursue. It was because of him that Critical Commerce Corridors were included in the most recent highway bill reauthorization, passed into law in 2015.

Fred was a devoted, loving husband to his wife of 57 years, Midge Fehsenfeld, who passed away in 2003 and to his surviving wife, Barbara Fehsenfeld, of 15 years. He is survived by Barbara, brother Mac, five children, twenty grandchildren, and twenty-four great grandchildren. All of us who knew him and were impacted by his generosity, kindness, and loyalty will truly miss him. I ask everyone to keep his family in your prayers.

REP. JEB HENSARLING FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to recognize Representative JEB HENSARLING who has accomplished so much in only eight terms in Congress.

JEB served six years as Chairman of the Financial Services Committee where he has continued to ensure that free markets thrive. Interestingly, his portrait features four books: The Bible, Atlas Shrugged, Hayek's The Road to Serfdom, and Friedman's Capitalism and Freedom. These works have guided his commitment to free markets and individual liberties.

JEB HENSARLING is as articulate of a speaker as I have ever encountered. Inevitably, his remarks reveal his perceptive views on subjects ranging from job creation and economic development to our Constitutional rights.

JEB leaves the Hill the same way that he came, a principled man with the strongest of ideals. I thank JEB for his years of service to our country and to his constituents in the fifth district.

IN RECOGNITION OF MS. BLAIR ALEXIS ROTERT FOR HER DEDICATED CAREER OF PUBLIC SERVICE

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. ROYCE of California. Mr. Speaker, I rise today to recognize Blair Alexis Rotert, an outstanding member of my staff who has served my office with distinction for three years.

A California native, Blair graduated from the University of California, Berkeley where she earned a Bachelor of Arts degree in Political Science. Blair started her career on Capitol Hill in Representative DAVID VALADAO's office, who represented part of her home county of Fresno, California.

I am thankful that DAVID was kind enough to let Blair come to work for me, as she has been an integral part of my team, and has served dutifully as a public servant. I personally would like to thank her for her work on the Veterans Dignified Burial Act, the Shark Fin Sales Elimination Act, the Chinese American World War II Veterans Congressional Gold Medal Act, and a national monument proposal. She also has played an integral role in my work as Chairman of the House Foreign Affairs Committee, serving as a liaison between my personal office and the committee.

Blair managed her duties with professionalism, integrity, and a high degree of respect for the people we serve. Her dedication to the 39th Congressional District of California and the U.S. House of Representatives is an extraordinary example of her strong commitment to her country and fellow citizens. Even though I am retiring from office, Blair will always be part of the ''Royce Team'' and I will be forever grateful for her work.

She will be missed by all who worked with her. And I wish her the very best of luck as she sets forth on the next chapter of her life.

RECOGNIZING THE HONORABLE JUDGE WALTER H. RICE

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. TURNER. Mr. Speaker, I rise today to recognize and applaud the Honorable Judge Walter H. Rice in conjunction with House passage of legislation to name the Federal Building and United States Courthouse in downtown Dayton, Ohio in his honor.

Judge Rice was born in Pittsburgh, Pennsylvania. He graduated from Northwestern University in 1958 and then attended Columbia University School of Law, earning a Juris Doctorate degree in 1962. Exhibiting the intelligence and hard work that would serve him so well throughout his career, Judge Rice also received a Master of Business Administration from Columbia University's Graduate School of Business Administration that same year.

Judge Rice began his legal career in 1964 in Dayton, Ohio, as an Assistant County Prosecutor for Montgomery County. In 1966, he entered private practice, joining the law firm of Gallon & Miller. In June of 1969, Judge Rice returned to public service as First Assistant Prosecuting Attorney for the Montgomery County Prosecutor's Office.

Judge Rice's distinguished judicial service commenced in November 1969 when his fellow citizens elected him Judge of the Dayton Municipal Court. He held that position until 1971, when he was appointed Judge of the Court of Common Pleas for Montgomery County. His exemplary judicial record and steady presence on the bench earned him re-election to the Court of Common Pleas in 1972 and 1978.

Federal officials took note of Judge Rice's impressive track record and experience, and President Jimmy Carter appointed Judge Rice to the United States District Court for the Southern District of Ohio. After confirmation by the United States Senate, Judge Rice was sworn in as a Federal District Court judge in Dayton on June 4, 1980. During his tenure, Judge Rice spent seven years as Chief Judge for the Southern District of Ohio, leading that bench from October 13, 1996 to October 12, 2003. He assumed senior status in 2004, maintaining a full docket.

A recipient of numerous awards, honors, and recognitions, Judge Rice received the Thomas J. Moyer award for judicial excellence in 2014. This award recognizes a current or former Ohio state or federal judge who displays outstanding qualities of judicial excellence, including integrity, fairness, open-mindedness, knowledge of the law, professionalism, ethics, creativity, sound judgment, courage, and decisiveness. In receiving the award, Judge Rice was lauded for his commitment to serving the needs of the most vulnerable in our community and for his efforts to encourage dialogue among his fellow citizens.

Judge Rice has been a tireless advocate for our community. He received the Citizen Legion of Honor Award from the Presidents Club of Dayton in recognition of his efforts as a champion of peace, inclusion, and civil rights. His volunteer efforts have included service with Wright Dunbar Inc., Inventing Flight, Aviation Heritage Foundation, American Veterans' Heritage Center, and the Montgomery County Ex-Offender Reentry Policy Board. He was a founding member of the Montgomery County Volunteer Lawyers Project and Dayton's Dialogue on Race Relations. He taught for many years at the University of Dayton School of Law and Wright State University, and received an Honorary Doctor of Laws Degree from the University of Dayton in 1991 and an Honorary Doctor of Humane Letters Degree from Wright State University in 2000.

It is only fitting that the chambers in which Judge Rice continues his long service to the Dayton community, the state of Ohio, and the American public at large as a Senior Judge for the United States District Court for the Southern District of Ohio should be in a building that bears his name. I thank Judge Rice, for his numerous contributions to the greater Dayton community and congratulations on this well-deserved honor.

HONORING DR. FRANK LUNTZ, PhD

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Dr. Frank Luntz, PhD, a talented communications professional and linguist whose unique talents have moved the needle on some of our nation's most critical issues. Frank has been an excellent advisor and close personal friend of mine throughout my time in Congress. His guidance has been invaluable.

Frank grew up in West Hartford, Connecticut and graduated from Hall High School before going on to get his Bachelor of Arts degree in History and Political Science from the University of Pennsylvania. He then earned his Doctorate in Politics from none other than Oxford University. He has since gone on to

council presidents and prime ministers, Fortune 100 CEOs and professional sports franchises, nonprofit directors and Hollywood creatives. He served as a consultant to NBC's The West Wing, one of the most popular and universally-loved television shows in recent memory.

Dr. Luntz is a celebrated author, with three books on the New York Times Best Sellers list: Words that Work: It's Not What You Say it's What People Hear, What Americans Really Want Really, and WIN. Additionally, he has written about the power of language for The Wall Street Journal, The New York Times, Los Angeles Times, Financial Times, The Times of London, and The Washington Post.

Luntz is dedicated to teaching the next generation of thought-leaders, instructing young scholars at the University of Pennsylvania, Harvard University and The George Washington University.

Mr. Speaker, please join me in honoring and commending Dr. Frank Luntz for his outstanding contributions and dedication to communications and political scholarship, our nation and the people who serve it. We wish him continued success in his future endeavors.

REP. JOE BARTON FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to recognize my fellow Texan, Representative JOE BARTON. The longest serving member in the Texas delegation and eighth most senior in the House, he has spent his 34 year career working for our country and the people of the sixth district.

JOE has a passion for politics and Texas A&M that is rarely matched. Since his time as a fellow in the Reagan White House almost four decades ago, he has continually championed conservative principles.

JOE has been a coach, manager, and player for the Republican baseball team since 1986 and has received several MVP Pitcher awards.

Last year, he and two of his sons were at what seemed like a typical early morning baseball practice that soon became a field of violence. During the ten minutes of shooting, and in the weeks following, he showed perseverance and resolve.

JOE has represented his constituents well for many years. I wish him a happy retirement.

IN RECOGNITION OF KRISTA JOY MARTINELLI

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Ms. SPEIER. Mr. Speaker, I rise to honor Krista Joy Martinelli as she ends her service as City Clerk of the City of South San Francisco. It's unusual to have an attorney as a city clerk, but Krista is unusually committed to helping others.

A California city clerk has many important duties. The clerk runs local elections, documents the development and passage of local ordinances, provides public records under the Public Records Act and the Political Reform Act, and ensures that public meetings are held in compliance with California's open meeting law known as the Brown Act. On ceremonial occasions, the clerk's office will often organize events. In all circumstances, a city clerk must be accountable to the public and supportive of the efficient operations of all city departments.

Krista Martinelli excelled in the performance of her duties. As an attorney, she recognized that a foundation of good government is accurate recordkeeping and ready access to information by all. As the duties of her job multiplied under numerous new mandates, she and her team managed compliance despite a tripling of compliance obligations. She advocated for the public and offered efficient administration of local elections. Residents could always count on Krista to produce records in a timely and accurate manner.

In her extended professional life, Krista served on numerous statewide committees that support the duties of a city clerk, including the League of California Cities' Administrative Policy Committee and she worked in the state legislature to support needed changes in the law. As if all that wasn't enough to occupy her time, she has co-authored five publications and authored two.

She is leaving public life to again work as an attorney and to advocate for children with special education needs. Her hard-working autistic son, Noah, is the inspiration for her next phase in life. Using skills honed as a seasoned litigator during her early years out of law school, she will be negotiating and mediating on behalf of children who need representation before school districts. She will be a powerful advocate for parents seeking equal education opportunities for their children. She hopes to build collaborative relationships between teachers, school administrators and parents throughout all phases of the IEP process. She holds a BS in Human Development and Family Studies from Cornell University and a Juris Doctor from the University of California, Hastings College of the Law. She is a member of the State Bar of California.

Life tosses us curveballs. In Krista's case, she's excelled in every undertaking. Now, out of dedication to others like Noah, she will begin a new phase and we will all be better off due to this new way in which she will serve the public's interest. We want to thank her husband, Greg Elliott, and her children Noah, Lucca, Santino, and Pia, who have allowed us to share Krista's time with them. She is a woman of faith and active in All Soul's Church. Her faith and her optimism will buoy her during this next adventure. I have always been impressed with Krista, her work ethic and professionalism. We in the community wish her well and we are blessed that she will remain a neighbor and friend for years to come.

CONFERENCE REPORT ON H.R. 2, AGRICULTURE AND NUTRITION ACT OF 2018

SPEECH OF

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2018

Mr. DEFAZIO. Mr. Speaker, I will vote in support of H.R. 2, the Agriculture Improvement Act of 2018, also known as the Farm bill.

The bill contains many of my priorities. As the author of the 1990 Organic Food Production Act and co-chair of the House Organic Caucus, I am pleased the conference report includes robust funding to help conventional producers transition to organic farming, strong research funding, and new authority for organic producers to be eligible for conservation programs when previously the programs were only available to conventional farmers. The bill also maintains current SNAP benefit levels, increases funding for food bank programs, including The Emergency Food Assistance Program (TEFAP), and keeps separate funding streams for the Environmental Quality Incentive Program and the Conservation Stewardship Program.

However, the bill maintains the current agricultural subsidy programs, which I strongly oppose. The subsidies are only supposed to go to those ''actively engaged in farming.'' Yet under the bill, the nearly $900 billion in subsidies continue to be skewed towards wealthy individuals and mega-farms at the expense of small and medium-sized farms. In fact, the Environmental Working Group found that 18,000 Americans living in urban areas received more than $63 million in subsidies in 2015 and 2016.

Not only do the subsidy loopholes from previous Farm bills remain, they are made even worse in this newest Farm bill, which expands the definition of ''actively engaged in farming'' to nieces, nephews and cousins—even if they have never set foot on the farm.

Real farmers, especially small- and medium-sized family farms, are in the middle of one of the worst economic downturns in decades, and they need and deserve our help before they are forced to sell their farms and lose their way of life. While the Farm bill contained many improvements to previous bills, the lack of reform and the expansion of subsidy program eligibility is outrageous. I will continue working to reform agricultural subsidy programs to ensure that the benefits go to small- and medium-sized farms, and only to those that actually work the land.

CELEBRATING THE LIFE OF DAVID G. QUEEN, JR.

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Ms. WILSON of Florida. Mr. Speaker, I rise today to celebrate the life of David G. Queen, Jr., and commemorate the noticeable impact that he made on the lives of others.

Mr. Queen excelled in athletics at a young age. He trained with the elite Miami Northwest Express Track Club under the tutelage of legendary Coach Jesse Holt, Jr. As a member of

Miami Northwest Express, he participated in the National Jr. Olympics where he placed first in his age group by posting the fastest time in the nation. His prowess allowed him to earn many medals, ribbons, and trophies. He was also a standout in football for the Boys and Girls Club. His dream was to become a professional athlete. He is worthy of commendation for his most recent goal of starting a mentoring program to share his experiences with young people.

Mr. Queen's greatest joy in life was his daughter, Zanaa Queen, and he treasured every moment they were together. He dedicated his life to being an ever-present and responsible father after her birth and he had a particular delight in his voice whenever he spoke about his beloved Zanaa. Now, he leaves his precious little girl in the trusted care of her mother, Britney Houston, her grandparents, and extended family. He will rest well knowing that she will be given the attention and care that he always strived to provide.

Mr. Queen comes from a family with deep roots and strong ties in South Florida. His mother, Tangela L. Sears, is a dedicated community activist who has invested her heart and soul into improving her community. She was the motivation for Mr. Queen's desire to mentor youths through sports and education. His grandmother, Vera Lawrence, who he affectionately called ''Granny,'' was a longtime Miami Dade County employee, and his aunt, Sandra Sears, were important figures in his development and providing him a strong foundation.

Mr. Queen was born in Queens, New York, on February 27, 1986, to David G. Queen, Sr., and Tangela L. Sears, and the family relocated to Miami, Florida, soon after his birth. He began his education at Sparks Kindergarten and continued his studies at Rev. Dr. Martin Luther King, Jr. Elementary School, Charles R. Drew Middle School, and Northwestern Senior High School, all a part of Miami Dade County Public Schools, before graduating from Godby Senior High School in Tallahassee, Florida.

Please join me in acknowledging the life and lasting contributions made by David G. Queen, Jr., and expressing the need to use his dreams and aspirations to further promote transformative efforts to enrich the lives of young people.

LIEUTENANT ANTONIO PENA RETIRES FROM THE CALIFORNIA HIGHWAY PATROL

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. COOK. Mr. Speaker, I rise today to recognize the exemplary law enforcement career of California Highway Patrol (CHP) Lieutenant Antonio Pena. On December 18, 2018, Lieutenant Pena will retire from the CHP after 29 years of service.

Antonio Pena began his career of public service by serving in the United States Air Force, where he attained the rank of sergeant. Following his military service, Antonio graduated from the CHP academy in 1989 and was assigned to the CHP South Los Angeles Office. After 11 years, Antonio moved on to the Inland Division Office and assumed the role of Sergeant in the Victorville CHP office. In 2001, he began working out of the Santa Fe Springs office, a position that allowed him to coordinate the Impaired Driving Task Force. His assignments during the final phases of his law enforcement career included Alta Dena and Barstow. He finished his career with the CHP as the Commander of the San Bernardino County Auto Theft Task Force.

On behalf of the U.S. House of Representatives, I would like to congratulate Antonio for his service to our nation, state, and community. His dedication and commitment to the profession of law enforcement reflects great credit upon himself and the California Highway Patrol.

HONORING PASTOR GLEN BERTEAU

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Pastor Glen Berteau for his many years of service to his community. A longtime church leader, he has touched thousands of lives. On September 9, 2014, Pastor Berteau led the House of Representatives in its opening prayer. In a rare honor, he was afforded the opportunity again on May 18, 2017.

In addition to being a pastor, he is also an author of multiple books. He wrote the youth manual ''Strategies for Advancing Youth Ministries'' as well as the books ''Christianity Lite'' and ''Christianity To Go.''

Pastor Berteau's parish, known as The House Network, has ministries in all communities throughout Modesto, CA. The church runs Nineveh Outreach, Cross Recovery and various worldwide mission trips. They have also opened Heart and Soul Coffee, a coffee shop in Downtown Modesto that uses coffee to advance its ministry.

Pastor Berteau has led The House Network to grow into a multi-campus organization, with churches in Modesto, San Jose, Slidell, Hilo, Downtown Modesto, and Fort Worth. The House in Modesto was featured in Outreach Magazine in 2009 for being the Second Fastest Growing Church in America and it is now on the list of the Top 50 Largest Churches in America.

Mr. Speaker, Pastor Glen Berteau has impacted the lives of everyone in his congregation and community. His commitment to serving Jesus Christ has helped him change communities for the good all over California. Please join me in recognizing his lifetime of service to God.

REVEREND CANON GEORGE L. BONNER'S 40TH ORIENTATION ANNIVERSARY

HON. HAKEEM S. JEFFRIES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. JEFFRIES. Mr. Speaker, I rise today in recognition of Reverend Canon George L. Bonner's 40th Orientation Anniversary at St. Albans Episcopal Church in Canarsie, New York on Sunday, December 16th.

In 1973, Reverend Canon Bonner left Belize for Codrington College in Barbados to study theology. He went on to the University of the West Indies for a Bachelor in Theology and a Master of Science in Education at Brooklyn College in New York.

In 1978, Reverend Canon Bonner was ordained as a Priest at the Cathedral of St. Michael and All Angels in Barbados. A decade into his spiritual journey, he was called to relocate to Brooklyn, New York and joined the All Saints Parish in East New York.

Upon arriving in New York, Reverend Canon Bonner was propelled into a position at St. Albans Episcopal Church and has proudly served the congregation ever since. He has provided spiritual guidance to the Canarsie community with admirable dedication and passion. Under the leadership of Reverend Canon Bonner, St. Albans Episcopal Church has overseen multimillion dollar renovations and expansions of the church.

Reverend Canon Bonner has the love and support of his wife, Ms. Marjorie Bradley-Bonner, his sons George and Kurt and six grandchildren: Marquise, Roshika, Geante, Bryanna, Owen and Matthew.

Mr. Speaker, in honor of the legacy of this great leader, I ask that you and my other distinguished colleagues join me in congratulating the Reverend Canon George L. Bonner on his 40th Orientation Anniversary.

REP. SAM JOHNSON FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, today I'd like to recognize a true American hero, SAM JOHNSON, who has demonstrated exceptional valor, service, and patriotism. Before he came to Congress he spent 29 years in the Air Force where he flew almost 100 combat missions in the Korean and Vietnam wars.

I encourage all of my interns to read Congressman JOHNSON's autobiography, Captive Warriors, which recounts his seven years of torture, including 42 months of solitary confinement as a prisoner of war.

SAM JOHNSON's service to his country didn't end in Hanoi. In his 28 years in Congress SAM continued to demonstrate his unshakable principles and the courage of his convictions.

Congressman JOHNSON is the last Vietnam POW in Congress and remains a true patriot. I thank SAM for his lifetime of service.

IN RECOGNITION OF JONATHAN SHARKEY

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Ms. BROWNLEY of California. Mr. Speaker, I rise to recognize Jonathan Sharkey, a dedicated public servant to the City of Port Hueneme for the past 24 years. As a city councilmember and mayor, Jon has been a

leader on improving both the physical and cultural infrastructure of the city, and he has consistently and effectively work towards improving the quality of life of the many people that call the City of Port Hueneme home.

As a city councilmember, Jon led the effort to write and pass the city charter, making Port Hueneme the second charter city in Ventura County. Additionally, Jon was instrumental in securing funding to rebuild the city's aging wastewater system, and has been a strong advocate at both the state and local level for library funding. He also led the successful effort to grow housing availability within Port Hueneme, revitalizing the city's core.

Throughout his career in public service, Jon has been recognized as a regional leader in coastal advocacy. Jon has continually provided the City of Port Hueneme with guidance and leadership in his roles as chair and boardmember of the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON), one of the first regional organizations in the country dedicated to providing a public response to the challenges of coastal erosion and resiliency. I have also had the opportunity to work closely with Jon and the U.S. Army Corps of Engineers to ensure continued sand replenishment at Hueneme Beach.

Jon has also contributed to prosperity of our region as a whole. As chair and boardmember of the Ventura Regional Sanitation District (VRSD), he led the effort to secure approval from the State of California to site and operate the only publicly owned landfill in Ventura County. Subsequently, the Toland Road Landfill has been recognized as a national leader in the use of landfill gas for electricity generation; and, the biosolids processing facility, during its operation, not only provided a local solution to biosolids disposal but also took nine million truck miles per year off the road.

In addition, Jon has served as Port Hueneme's representative to the Regional Defense Partnership for the 21st Century (RDP–21), a public-private partnership formed to support the military mission in Ventura County. RDP–21 has been instrumental in enhancing the mission of Naval Base Ventura County, bringing thousands of jobs to the area.

As he heads into retirement, Jon is representative of a steadfast dedication and tireless commitment to serving his community. For these reasons, it is with great enthusiasm that I join a grateful city and its residents in offering Jonathan Sharkey our heartfelt appreciation for his countless contributions to the City of Port Hueneme throughout his 24 years of public service. I wish him continued success and only the best in all of his future endeavors.

HONORING THE LEGACY OF THE ZEELAND RECORD AND THE VAN KOEVERING FAMILY

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. HUIZENGA. Mr. Speaker, I rise today to recognize the Van Koevering family and their many contributions to the West Michigan Community through their newspaper and print shop, The Zeeland Record.

As a well-known and highly-regarded West Michigan business, The Zeeland Record has earned the respect of the greater Ottawa County community through dedication to quality and service for over 125 years.

The Zeeland Record was started in 1893 by Adrian Van Koevering as a newspaper and print shop, and through the lifetime of the company, has expanded to include a full digital printing operation with the addition of ZR Graphics. When the newspaper and print shop was founded near the end of the 19th century, there was no local printing business. Recognizing the lack of regular circulation for news periodicals, and at the advice and counsel of his mother's uncle, Adrian Van Koevering started his own commercial printing company. He was able to obtain a loan from this same relative, Jacob Den Herder, to buy his own printing equipment, and within a few months, Adrian was hard at work in a business that would span generations of the Van Koevering family. Today, the company is in its fourth generation of family ownership and is led by brothers Kurt and Kraig Van Koevering who continue the Zeeland Record's legacy in West Michigan.

Mr. Speaker, on behalf of the Second Congressional District of Michigan, we thank and honor the contributions of the Van Koevering family to West Michigan communities and families.

RECOGNIZING STEVEN T. REEDER

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute fellow Hoosier Steven T. Reeder, an extraordinary teacher and citizen. Mr. Reeder has taught at Monrovia High School in Morgan County, Indiana, for twenty-years. He was recently awarded ''History Teacher of the Year'' by the Indiana Daughters of the American Revolution. This honor is well-deserved as his passion for teaching History is unmatched.

Colleagues, students, and members of the community have nothing but positive accolades when speaking about Mr. Reeder. I am told by his principal that students in his classes are on the edge of their seats each day from start to finish, and higher-level thinking is abundant. The classroom is filled with historical artifacts in a museum-like setting, but it is Mr. Reeder's ability to story-tell and cultivate critical thinking that makes his teaching style so special. In addition, he is known for hosting study groups after hours at local restaurants and also for lending support to students through small acts of kindness. It is no surprise that Mr. Reeder has been invited to the school's ''Top Ten Teachers Banquet'' every single year of his career at Monrovia High School.

Mr. Reeder's passion for history has not been limited to his classroom. He has been instrumental in leading students and residents of the community in unearthing information and artifacts about the town of Monrovia and its schools. He initiated and sponsors the organization ''Students for the School'' whose purpose is to research local history and make it visible in the community. As a result, artifacts celebrating the community's rich history in sports, agriculture, education, art, and the underground railroad have been displayed in multiple cases in the school and town library. The group was also responsible for establishing the town's first official Indiana Historical Marker celebrating the life of former-resident IU Basketball Coach Branch McCracken.

Mr. Reeder uses historical opportunities to encourage a sense of community for citizens in Monrovia. He has worked with local organizations on projects that recognize and honor area veterans and active-duty members of America's armed forces. He recently hosted classes for the public about Monrovia's history, and he currently is working with civic leaders to establish more historical markers at noteworthy sites in the area. The loyalty Mr. Reeder has for his community and school is commendable.

As the Chairman of the House Subcommittee on Early Childhood, Elementary, & Secondary Education, I am especially honored to recognize Mr. Steve Reeder as one of Indiana's finest teachers. He embodies the true spirit of a dedicated and caring educator, and I wish him the very best as he continues to be a positive influence for generations to come.

HUMBLE HISTORY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. POE of Texas. Mr. Speaker, it has been an honor and a privilege to represent the great City of Humble and the best folks in Texas. I live right outside the city line, over in Atascocita. But I have always considered Humble my home. If folks ask me where I live, I reply Humble. There are two ways to pronounce Humble—the right way and the wrong way. The right way is Umble (the H is silent). Towns like Humble, Texas are why so many new folks and businesses continue to move to Texas. It is only fitting that Humble was founded by a little-known hero, Joseph Dunman, who some believe is the true father of Humble.

In 1836, William Barret Travis penned his famous letter from the Alamo, ''The Travis Letter.'' Travis pledged he would ''never surrender or retreat,'' swearing ''victory or death.'' Travis's letter requesting reinforcements at the Alamo was delivered by Joseph Dunman. The most famous letter in Texas history was delivered by horseback from the Alamo to Liberty, Texas by a volunteer. Dunman not only volunteered but he survived. Dunman like Travis believed in these words that the cause for independence was his life. Dunman was a true freedom fighter that understood America is worth fighting for and that defeat is not an option.

Unfortunately, Travis' call for help was not answered in time. Commander Travis and 187 volunteers sacrificed their lives after 13 glorious days at the Alamo. After delivering the letter to Liberty, Texas, Dunman rode on to Anahuac to spread the message to the colonist. Now the rest is as they say—Texas history. The Battle of San Jacinto was fought. General Sam Houston and his men defeated Santa Anna winning Texas' Independence.

In the 1840s Dunman received a land grant that would later become the city of Humble. In 1844, he acquired over 177 acres on the

banks of the San Jacinto River. He also raised cattle. By 1854, more than sixteen families settled around what was known as the Joseph Dunman settlement.

After the war, Dunman continued working for the Republic of Texas by driving and fencing cattle for Fort Galveston.

Because of men like Joseph Dunman, Texas is the great State that it is today. His legacy embodies the passion and loyalty that make Texans stand out around the world. The backbone of our nation was formed from hardworking citizens like Joseph Dunman. He is an example not only to those from Humble, but to all citizens of our great Nation.

The Dunman family always found a way to give back to their beloved Humble. They used their home as a polling location for the Republic of Texas and Harris County elections. Joseph Dunman's son, Joseph W. Dunman, opened the very first school in 1873. The school was called Joe Dunman's Schoolhouse. It was the only school in the district. The district is now called the Humble Independent School District.

Beginning as a small sawmill town, Humble was home to rugged Texas ranchers, farmers, and loggers. In 1869, a Civil War veteran named Pleasant Humble moved to Harris County. He purchased prime land from the Dunman family along the south side of the San Jacinto River. Humble opened a grocery store and ran the existing ferry. He soon took over the responsibility of the mail.

One of the best things about Texas is the fact that Texas towns each have their own unique history. There are hundreds of stories about towns and their colorful past and the settlers who founded them. However, the most interesting part of their unique history is how each town received its name. According to local historian Dr. Robert Meaux, ''legend states that mail carriers from other towns were instructed to ''deliver to Humble'' meaning Pleasant Humble. Through continued use of this phrase, ''Humble'' eventually became the name of the town.'' In 1886, Pleasant Humble became the first postmaster of Humble. He was also Commissioner of Harris County and elected to Justice of the Peace for Harris County Precinct 4 in 1887 to 1895.

The name Bender should sound familiar to Humble folks. Bender Avenue, Aldine-Bender Road, and Charles Bender High School were all named after Charles Bender Sr. In 1889, Bender purchased a sawmill and moved it to Humble. The sale included thousands of acres of timberland. C. Bender and Sons became a very successful lumber company. They shipped wood all over the world. Bender was a very generous man. He built houses for his employees and allowed them to purchase them from his company.

In 1904 Bender filed an official street plan for the town of Humble, which is still in use today. The four main streets in town were named after four oil pioneers drilling in Humble: Higgins, Barrett, Granberry, and Staiti. The Bender family were hardworking, well-educated, God fearing Americans who emigrated from Germany believing the impossible. Recently the City of Humble renovated the abandoned Charles Bender High School and converted it into the Charles Bender Performing Arts Center. Hung over the top of one of the doors at Charles Bender High School read ''Impossible Is Un-American.'' This motto was true of the Bender family.

Modern amenities were brought to Humble at the turn of the 20th century. They opened a bank, a theater and skating rink known as the Opera House, utility companies, a hardware store and saloons. Influential leader and citizen, Ross Sterling, moved to Humble in 1904. After completing a fourth grade level education, he began working as a clerk at the age of 12. The experience led him at the age of 21 to launch his own feed store. Sterling could have taught a course about the hard-working man—Work Ethic 101. In 1910, Sterling's big break came when he purchased two oil wells, leading to the charter of The Humble Oil and Refining Company, which later became Exxon. Sterling went to open many banks, one of which is Humble State Bank. He also was a newspaper publisher after buying the Houston Post, and owned KPRC radio station. He went on to become the governor of Texas from 1931 to 1933. In all of his endeavors, he always found a way to give back to his community. He left a legacy long after his death. Ross Sterling Middle School in Humble is named in his honor.

The 10s and 20s roared in with the founding of oil. Oil derricks made of wood covered Moonshine Hill and Humble. The first oil boom in Humble was made up of shallow wells that formed lakes of oil around the derricks. What a sight. As a result, Humble grew along with the refinery when oil roughnecks began purchasing homes in and around the town.

They weathered the depression better than most in the 30s and the 40s. And they solidified the Greatest Generation in our Nation's history. Humble is home to many heroes who served in the military during this time. One such hero who lives in Humble is Tom Morgan. Tom volunteered to serve his country during WW2. He joined the Marines in 1942 and was deployed and assigned to island hopping along Southeast Asia. Despite contracting malaria, he continued to serve our country. He then served as a reservist, and again deployed for his country in the Korean War. But he was not done serving. He worked the pipelines for 30 years and raised 3 kids in Humble. He retired, but felt lazy, so he answered an ad in the paper for positions with the Harris County Sheriff Office as a reserve officer. At the age of 72, he was the oldest cadet to ever graduate from the academy.

For 26 years, he has put on a badge and a gun to protect and serve the people and communities that he loves. At the age of 98, Tom Morgan is retiring as the oldest active lawman in the state of Texas. He still lives in Humble.

The McKay family name is well-known in Humble. Dr. Haden Edwards McKay II brought his family to Humble in 1919. He practiced medicine and served on the Humble ISD School Board. His son, Haden Edwards McKay III, followed in his father's footsteps by becoming a physician, too. He became known as Dr. McKay Jr. He started practicing medicine in 1938 in Humble. He met his wife, Lillian, a nurse at St. Joseph's hospital and they were married in 1941. That same year, Dr. McKay built a white limestone house for his new bride, in Humble. This home is considered a piece of local history. Another Humble landmark is the McKay Clinic, which is now a museum thanks to the efforts of Mrs. McKay. Dr. McKay saw patients at that clinic until his death in 1996. I cannot imagine what Humble would be like today, had it not been for the McKay's. The city thrives because of their work and tireless efforts. Dr. McKay served as the mayor of Humble for 24 years and Lillian was the First Lady.

Bringing in air conditioning, the baby boom, and the Vietnam War the 50s and 60s presented many more changes to the small town. The 50s was the beginning of an economic boom in Humble. Population of Humble increased as many families moved to the suburbs to escape the City of Houston. In 1969, Houston's largest airport, now called George Bush Intercontinetal Airport, was built on the west side of Humble. The 70s saw the biggest rise in fame and fortune with the oil boom, but was followed by the biggest fall from grace in the 80s. Nonetheless, Humble emerged unscathed in the 90s and continued to thrive. Not to say there were not hard times over the years. They had their share of hurricanes and fires—the latest was Hurricane Harvey. And we all know the damage Harvey poured onto Humble. But Humble proved Texas Strong. It is truly a city rich in history, pride, and perseverance.

Humble's fire and police departments are among the best in Texas. As a prosecutor and Judge for over 30 years, I have had the privilege of working alongside some of America's best, the men and women in blue. Each day they wake up, place the badge—the shield—over their heart and head out into our communities to protect us. It has been and honor to call many first responders in Humble, my friend.

It has been an honor to represent the citizens of Humble, Texas in the United States House of Representatives. I am proud to have worked with Retired Humble Mayor McMannes, Humble Mayor Merle Aarons, and the city council on numerous projects concerning the city. I commend them for their leadership in helping Humble grow.

I look forward to seeing Humble continue to prosper in the future.

And that's just the way it is.

HONORING ISAAC APPLBAUM

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Isaac Applbaum, an active investor, enthusiastic venture capitalist, and senior advisor to the Mayor of Jerusalem for Public Private Partnerships.

Isaac grew up around Brooklyn, New York, where he attended Yeshiva University. He then moved on to earn his degree in Computer Science from the Hebrew University of Jerusalem. After graduation, he joined Bell Labs as a programmer. He has since gone on to launch Concorde Solutions, a software assets management firm. The firm was bought by Bank of America, which landed him a role as a senior vice president responsible for strategic investments. From there, Applbaum has spent over 20 years in the Bay Area's venture capital universe.

Mr. Applbaum works with a variety of investment firms and continues to push investment in Israel. He is a major contributor to partnerships between American and Israeli companies. He also cofounded Teal Lake Cellars,

which produced a variety of high quality kosher wines that to bring together friends, leaders and colleagues from all walks of life.

Isaac is happily married to Hilda, his wife of 31 years, and together they have three children. He has dedicated himself to teaching the world about the beauty of Israel and its culture. To that end, he has spent much of his time working tirelessly to build flourishing Jewish communities in Israel and the United States.

Mr. Speaker, please join me in honoring and commending Isaac Applbaum for his outstanding devotion, contributions and dedication to his community. We wish him continued success in his future endeavors.

REP. JOHN CULBERSON FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, today I'd like to recognize Congressman JOHN CULBERSON. For almost two decades he has been an advocate for the Texans of the seventh district.

Chairing the House Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee, JOHN has maintained or increased the budget for funding NASA. When it comes to space issues, his interest, knowledge, and enthusiasm is unmatched.

A lawyer by trade, JOHN has always fought for NASA to ensure America remains the world-leader in space exploration. His expertise and good counsel will continue to be needed even after his time in Congress comes to an end.

I thank JOHN for his public service. It has been a pleasure working on space issues with him in Congress.

INTRODUCTION OF THE NATIONAL COMMISSION TO COMBAT SEXUAL HARASSMENT ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Ms. NORTON. Mr. Speaker, today, I introduce the National Commission to Combat Sexual Harassment Act to establish a national commission to examine and combat sexual harassment in the workplace.

I have modeled this bill on legislation Congress has passed to address other national problems considered to be serious, such as gambling. The almost daily exposure of allegations of sexual harassment, many not denied, more than qualifies sexual harassment for national attention and priority. This bill would create a national commission to focus on sexual harassment in major industries and workplaces throughout the United States.

Congress recently adopted a bill that addresses harassment in the congressional workplace. It requires Members of the House and Senate to be personally liable for settlements and awards resulting from harassment and retaliation claims, removes the mandatory counseling, mediation and "cooling off' periods for accusers that is currently required, mandates publicly reporting awards and settlements and covers unpaid staff as well. This is a step in the right direction beginning here in the Congress. However, nothing equivalent has been done for sexual harassment that affects the American people. We have largely neglected our own constituents, despite the increasing number of troubling reports in the news of sexual harassment claims.

A national commission would assure the American people that Congress takes sexual harassment affecting them—the typical worker—seriously, beyond the high-profile examples, such as allegations against Harvey Weinstein and the Congress itself, that have garnered the headlines. Most importantly, the commission would hear from a cross section of the public—from office and factory workers to retail and food service employees—whose experiences with sexual harassment have received almost no attention. The commission could travel or invite witnesses to Washington from throughout the country to recommend changes in laws or regulations and best practices for preventing, training, investigating, responding to and penalizing sexual harassment in the private and public sectors.

Our constituents expect Congress, which represents every sector, to take on the national problem of sexual harassment, which we now know has infected every major sector of the economy, including private and public (federal, state and local) workplaces. A national commission could help reach and reduce sexual harassment, a form of gender discrimination, where the average woman and man works.

I strongly urge my colleagues to support this bill.

HONORING THE 45TH PASTORAL ANNIVERSARY OF DALLAS A. WALKER, JR.

HON. BRENDA JONES

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Ms. JONES of Michigan. Mr. Speaker, I rise today to honor the 45th Pastoral Anniversary of Dallas A. Walker, Jr., Minister of Detroit's Wyoming Avenue Church of Christ.

Born in Vernon, Alabama, Pastor Walker comes from a strong lineage of faith leaders. His grandfather was a pioneer minister in Northwest Alabama and his father served as a church elder at the Mayfield Church of Christ in Fayette, Alabama. His mother was a devout Christian that lived to see her two youngest sons fulfill a family legacy proclaiming the Gospel of Christ.

Pastor Walker graduated from Lamar County Training School, and went on to attend Southwestern Christian College. He later earned a Bachelor's Degree in Psychology from the University of Detroit Mercy and a Master' s Degree in Professional Counseling from Wayne State University in Detroit. Pastor Walker began his formal ministry at the Church of Christ in Athens, Alabama. He has also served two other Alabama congregations, the Woodland Park Church of Christ in Birmingham, Alabama and the Farris Drive Church of Christ in Huntsville, Alabama.

Pastor Walker and his wife of 54 years, Beverly MacDonald Walker (deceased), have three kids, Pamela Spear, Jennifer Leake, and Dallas A. Walker, III.

Widely known as a "Preacher's Preacher", he is an international evangelist, that has traveled firsthand to numerous biblical sites, among them the Mountain at Nebo, Bethlehem, the Sea of Galilee, Jericho, and the Garden of Gethsemane.

Pastor Walker is a stalwart spiritual compass in the city of Detroit. He can be seen all over the district sharing the scripture and hosting revivals. His dedication to the community was honored with secondary street naming of Wyoming and Chippewa Avenues. He also sits on the board of the Board of Directors of the National Association of Celebrated Seniors.

Mr. Speaker, I ask you and my colleagues to join me in applauding Pastor Dallas A. Walker, Jr. for his 45 years of service in ministry at the Wyoming Avenue Church of Christ.

TRIBUTE TO MRS. LUZ GONZALEZ TORRES—EIGHTY-THREE (83) YEARS OLD AND STILL WORKING AS A LETTER CARRIER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, age is relative, and many people look at it in very different ways. Many people look forward to being old enough to work, and of course, many of us look at it in terms of opportunity to retire. Work is indeed a virtue and it is indeed a dignified way of contributing to the well-being of society.

Today we highlight and honor Mrs. Torres for her longevity, her dedication to service and her inspiration to human kind. Mrs. Luz Gonzalez Torres was born in Trujillo, Peru on January 2, 1935, which marked her almost 84 years old. She came to the U.S. in 1963 and married Victor Torres in 1966. She and her husband have six (6) children, three (3) boys and three (3) girls and five (5) grandchildren. She widowed in 2007. Prior to becoming a letter carrier, Mrs. Torres worked for Walgreens, Illinois Bell, Western Electric and a travel agency. In 1985, Mrs. Torres was hired by the postal service and worked until 1989. She took a break and came back in 1992 as a PTS. Luz became a regular in 1994, and has had her current route since 2010. She had two knee surgeries and a broken left hand, yet she is still an active carrier.

What a woman. What mail carriers do for all of us.

HONORING STANISLAUS COUNTY SHERIFF ADAM CHRISTIANSON

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. DENHAM. Mr. Speaker, I rise today to honor Stanislaus County Sheriff Adam Christianson, who is retiring after nearly three decades of public service, including 12 years serving as Stanislaus County Sheriff.

In 1988, Sheriff Christianson began his storied law enforcement career by joining the

Ceres Police Department. He was sworn into the Sheriff's Office in January of 1996, where he has served ever since. As Deputy Sheriff he filled an impressive variety of roles as Patrol, K9 Handler and Supervisor, Bailiff, Field Training Officer and Detective. As Sergeant he was assigned to Patrol and supervised the High Tech Crimes Unit. As Lieutenant he worked in Homeland Security, Internal Affairs, and was the Northwest Area Commander.

Sheriff Christianson has been a mainstay of the community throughout his time in office. Public Safety facilities have been expanded with more jail beds, a medical and mental health care unit, and a day reporting center, while the significant Public Safety Restoration Plan was completed with the support and funding of the Board of Supervisors. Sheriff Christianson capped off his tenure in office with the completion of the Coroner's Facility and the Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center.

Sheriff Christianson began a stellar academic career by earning a Bachelor's degree in Criminal Justice Management. He later graduated from the FBI Law Enforcement Executive Development Course, the POST Executive Development Course and West Point Leadership in Police Organizations. He also received an Executive Certificate from the Commission on Peace Officer Standards and Training.

Sheriff Christianson is married to the love of his life, Yvonne. Together they have two children, Nicole and Kyle. He is looking forward to spending more time with his family after retirement.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to public safety and Stanislaus County by Sheriff Adam Christianson and hereby wish him continued success in his future endeavors.

REP. TED POE FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, today I'd like to recognize the first Republican to represent the second district of Texas, TED POE.

Before coming to Washington, TED was a felony court judge in Harris County where he was one of the youngest judges in the state. Known for his practical sentencing, his reputation for telling it like it is accompanied him to Congress.

TED has always put his country first. From his time as a prosecutor to a Congressman protecting our borders and combating human trafficking, he has always prioritized American's safety.

I thank TED for his 14 years of public service. His patriotism will be missed and as he often says, ''that's just the way it is.''

CELEBRATING THE LIFE OF BILL NEWSOM

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Ms. PELOSI. Mr. Speaker, I include the following obituary from the San Francisco Chronicle honoring Bill Newsom:

Justice William A. (''Bill'') Newsom, paterfamilias of a pioneering San Francisco family and a revered figure to his children, grandchildren and expansive clan, ardent defender of the environment, longtime San Francisco civic leader and retired Justice of the California Court of Appeal, died on December 12 from complications of old age.

Bill was a brilliant man of letters and linguistic genius who could bend the English language to his will like few others. Avuncular and sweet-natured, possessed of a wry and irreverent wit, fluent in French and Italian, a master of allusion and superb with impressions and accents, he was unexcelled as a raconteur and bard. He was devoted to an astounding variety of literary and intellectual pursuits, peripatetic in his extensive travels, and indefatigable in his commitments to civic and charitable endeavors, particularly to conservation and environmental causes. A noted bibliophile and oenophile, he frequently combined those loves with a third, his great love of music, particularly opera. Bill liked his poets Irish, but his food Italian. He possessed an encyclopedic knowledge of natural history and natural science and loved adventuring in the out of doors with family and friends locally in California, on the Colorado River through he Grand Canyon, in Alaska, Africa and beyond. He was an irrepressible patron of lost causes who almost invariably took up on behalf of the underdog and the ''little guy.'' His empathy and compassion were perpetually on display; it would be foolhardy to try to catalogue his countless initiatives on behalf of the unfortunate, the downtrodden and the wronged, much less his constant individual acts of kindness. It is perhaps best simply to observe that never did someone come to him for help and leave without it.

A wonderful father to his own children and ''Papapapap'' to his six grandchildren, Bill was also a superb builder and cultivator of family. Be it in Squaw Valley (a central gathering-place for the extended Newsom clan since the 1960 Winter Olympics), at the Monte Vista Inn or his treasured mountain retreat in Dutch Flat, or on any of innumerable family trips, he was never happier than when surrounded by family in conviviality, holding court with a fire roaring, recounting adventures and tales, offering unforgettable impersonations, describing the San Francisco of his (and his father's) youth, quoting Chesterton and Belloc, Yeats and Heaney. Bill adored children and they in turn were drawn to him as to the Pied Piper. He related to them in the most authentic and endearing way, not speaking at them but with them, neither at his level nor theirs, but in some kind of magical blarney in between that riveted them, made them laugh, and yet taught them something at every turn. They left his company—usually holding an armful of books, and some money—knowing he was their ally, including especially in whatever mischief they might be planning with his consent, or perhaps even his connivance. (Bill loved to tweak the establishment, even if that meant the parents of his co-conspirators!).

A fourth-generation San Franciscan, Bill was born into a large Irish Catholic brood in Depression-era San Francisco on February 15, 1934 and raised on Jefferson St. at Baker, in the shadow of the Palace of Fine Arts. He was the second and last surviving of six children (Carole A. Onorato, Belinda B. (''Barbara'') Newsom, Brennan J. Newsom, Sharon C. Mohun, Patrick J. Newsom) born to William A. Newsom, Jr. and Christine Newsom. Bill's parents were Mission District Irish. His father, William A. Newsom, Jr., (b. 1902) was a developer and civic leader who survived the 1906 earthquake and was closely associated with the late Gov. Edmund G. (''Pat'') Brown. Bill's paternal grandfather, also William A. Newsom, born in San Francisco in 1865, was a contractor and early city father who later became an associate of A.P. Giannini and opened the first branch office of the Bank of America at 29th and Mission Streets in San Francisco. His maternal grandfather (b. 1872) was a longshoreman on the San Francisco waterfront who had made his way from Ireland to San Francisco in the 1880s.

Bill was privileged to have a superb education, first under the tutelage of the good Sisters of St. Joseph of Orange and the French Marists (most of sturdy Breton stock) at Ecole Notre Dame des Victoires, then under the Jesuits at St. Ignatius High School, from which he was graduated in 1951. It was at SI that Bill first encountered many of his boon companions, including Lloyd Fabbri, Lou Felder, Gordon Getty, Paul Getty, Jim Halligan, Chris Malarkey, John Mallen and many more. Bill received his undergraduate degree in French Literature from the University of San Francisco in 1955; a Masters in English Literature from Stanford in 1961; and his law degree from Stanford in 1960.

Bill married the former Tessa Menzies in 1966. They were blessed with the birth of a son, Gavin, in 1967 and a daughter, Hilary, in 1968. While Bill and Tessa were divorced in 1973, they maintained a close, familial relationship for the rest of their lives.

In his professional life, Bill was a Commissioner of the San Francisco Superior Court following law school before entering private practice as an attorney, first with the Lillick firm in San Francisco (1963–1965), then as an associate of the celebrated San Francisco trial attorney, James Martin Macinnis (1965–1966), and finally opening his own private law practice in Tahoe City, CA (1967–1975). He also served as an attorney for Getty Oil Italiana (based in Rome) in the late 1960s. Bill was appointed by Gov. Jerry Brown first to the Placer County Superior Court in 1975, and subsequently to the California Court of Appeals (First Appellate District) in March 1978. He retired from the Court of Appeal in 1995.

Throughout his adult life, Bill served as a legal and business advisor to his great childhood friends, Gordon P. Getty and J. Paul (''Paul'') Getty, Jr., and later to many other members of the Getty family. Among other formal roles, he served as Trustee of the Ronald Family Getty Trust from 1988 to 2011; as Trust Administrator for the Gordon Getty Family Trust from 1994 to 2009; and as a Director and President of the Ann and Gordon Getty Foundation from 2011 until his passing. However, his most valuable service was in his informal capacity as a trusted confidant and, first and foremost, a friend. Bill played an important role in the negotiations for the release of Paul Getty's son, J. Paul Getty III, following his kidnapping in 1973.

At one time he considered a career in politics, but Bill lost his first race for the State Senate in 1968. (When asked why he lost, his answer was usually: ''Because I ran against the unbeatable Milton Marks.'') Despite a later movement to draft him as a mayoral candidate in the early 1980s, Bill had come to see himself in roles outside politics.

Bill's civic and charitable commitments were substantial. He served on the Board of Regents of the University of Santa Clara; the Board of Directors of the International Bioethics Institute, and on the boards of numerous environmental organizations including Earthjustice (San Francisco), Environmental Defense Fund (New York and San Francisco), Friends of the River (Sacramento), Sierra Watch (Nevada City) and the Mountain Lion Foundation (Sacramento). A visionary conservationist from an early age, he was an avid supporter of dozens of individuals and organizations working to protect our public resources—clean air, clean water, biodiversity, wildlife and wild places, especially our forests, rivers, and oceans.

Bill was endowed with great decency and humanity; indeed, these were his defining traits. He took the Golden Rule literally, regarding indignities to others as indignities to himself. A close friend from Bill's youth used to say of him that ''the milk of human kindness flows by the quart in every vein.''

Sometimes we lose someone whose passing makes it seem like an entire era is washed away. Bill was a proto-San Franciscan who often spoke of a city we sometimes now see only through a gauzy lens, where civic virtue, pride and neighborliness predominated; boasting a vibrant waterfront and teeming with middle class families; led by citizens who, Republican or Democrat, shared many core values; and having colorful characters at every turn. He was certain that he lived in the most magical place possible and, as was said of one of Bill's literary heroes, Belloc, ''No man of his time fought so hard for the good things.''

He is survived by his beloved children of whom he was so proud, governor-elect Gavin Christopher Newsom and his wife Jennifer Siebel Newsom, and Hilary Callan Newsom and her husband, Geoff Callan; his grandchildren, Talitha and Siena Callan and Montana, Hunter, Brooklynn and Dutch Newsom; his sisters-in-law, Cindy Asner, Cathy Newsom Goodman, Franza Newsom and Anne Scherer; his brother-in-law, Ronald V. Pelosi; a passel of nieces and nephews, grandnieces and grand-nephews in the Mohun, Fink, Newsom, Onorato, Pelosi and Scherer families; many beloved cousins and relations; and his legion of dear friends, including Gordon and Ann Getty and other, lifelong companions such as Jim Halligan and John Mallen; his longtime personal assistant, Lisa Belforte; and so many others. In addition to his siblings, Bill was predeceased by his former wife, Tessa Newsom.

Private services and burial to be held near Bill's longtime home in the community of Dutch Flat, CA. In lieu of flowers, the family suggests donations to the Justice William Newsom Fund at the San Francisco Foundation (www.justicewilliamnewsomfund.org), which will be used to carry on Bill's legacy of environmental stewardship for generations to come, or to your favorite charity.

''When You to Acheron's Ugly Water Come . . .

Then go before them like a royal ghost

And tread like Egypt or like Carthage crowned;

Because in your Mortality the most

Of all we may inherit has been found—

Children for memory: the Faith for pride.

Good land to leave: and young Love satisfied''

Requiescat in pace.

TRIBUTE TO GABRIEL CRISTIAN VIVEROS, III

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Gabriel Cristian Viveros, III for his service to my office and the people of California's Twenty First Congressional District.

Mr. Viveros was born on July 12, 1993 in Fresno, California to Enedina Patlan Viveros and Gabriel Viveros, II. Growing up in the Central Valley with his two older sisters, Andriana and Marissa, Mr. Viveros always had a sense of curiosity, a unique eye for art, and immense empathy for others—enabling him to connect deeply with people from all walks of life. Early on, Mr. Viveros learned to juggle multiple tasks at once while maintaining keen attention to detail managing his school work and participating in speech, debate, and water polo teams at Clovis East High School. Upon graduating from Clovis East High School in 2011, Mr. Viveros continued his studies at California State University in Fresno, California. During this time, Mr. Viveros used his curiosity, creativity, artistic ability, and confident speech background to find his way into political arenas and social groups, such as the Sigma Chi Fraternity.

Following his graduation from California State University in 2015 with a Bachelor of Arts in Public Administration, Mr. Viveros began his professional career as a Board Assistant for the Fresno County Board of Supervisors. In this role, Mr. Viveros applied his unique skillset to meet the various needs of the office providing administrative support, representing the Supervisor at community events, and expanding social media presence of the Supervisor.

In February of 2017, Mr. Viveros drove cross-country to Washington, D.C. joining my team as Scheduler. As Scheduler, Mr. Viveros was not only integral in managing my daily schedule but also to the overall function of my office. Mr. Viveros' ability to connect with others was evident whenever he interacted with constituents or those looking to schedule a meeting by going above and beyond to accommodate every request. Beyond scheduling, Mr. Viveros frequently volunteered his artistic talents to create digital media content for many of my social media platforms.

Mr. Viveros is also a small business owner, running Gabriel Cristian Photography in Washington, D.C. and Central California. Outside of politics, Viveros spends his free time growing his business and expanding his portfolio. In addition to photography, Gabriel enjoys graphic design, drawing, and interior design. For fun, he enjoys traveling to new cities, hiking, and spending time back home in California with his family.

Mr. Viveros' time with my office will come to an end on January 3, 2019 when I leave my office as the 116th Congress begins. I have no doubt he will continue to be successful and grow professionally in his future endeavors. Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. Gabriel Cristian Viveros, III for his public service to the people of California's Central Valley and wishing him well as he embarks on the next chapter of his life.

REP. MICHAEL CAPUANO FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to thank Congressman MICHAEL CAPUANO for his many years of service to his constituents in Massachusetts's 8th district.

MIKE and I served together on then Speaker PELOSI's Task Force on Ethics Enforcement in the II0th Congress. I developed a great appreciation for MICHAEL's candor and honesty while we both worked together. I have the highest respect for his integrity, judgement, and ability to find the truth on contentious or complicated issues.

Congressman CAPUANO earned the respect of his colleagues during his time on the Task Force and now as the current Ranking Member of the Transportation and Infrastructure Committee's Subcommittee on Railroads, Pipelines, and Hazardous Materials.

It has been an honor serving with him over the years.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mrs. HARTZLER. Mr. Speaker, On Tuesday, December 11, 2018, due to a death in my family, I was unable to vote. Had I been present, I would have voted as follows:

on roll call no. 428, YEA; on roll call no. 429, YEA; and on roll call no. 430, YEA,

TRIBUTE TO CAITRIONA RAFFERTY

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Ms. Caitriona Rafferty for her service to my office and the people of California's Twenty First Congressional District.

Ms. Rafferty was born August 7, 1993 in Westwood, New Jersey to her parents, Brian and Maria Rafferty. One of four children, Caitriona grew up in Tenafly, New Jersey with her three siblings Ciara, Angela, and Thomas who she remains close with today. Growing up, Caitriona played an active role in her church and giving back to the community; attending mission trips and making time to be a Sunday School teacher. During her time at home, she helped repair houses and loved to play sports. In high school, Caitriona was captain of the Tenafly Tigers Volleyball team and co-captain of the St. Brigid's Ladies Gaelic Football Junior Team. Her hard work and dedication to the sport was a driving force that led her fellow teammates to the Junior Gaelic Football Championship and the World Games Championship in Ireland as a part of the New York Gaelic Athletic Association ''All Stars'' team.

After graduating with honors from Tenafly High School, Ms. Rafferty went on to attend Sacred Heart University in Fairfield, Connecticut. While in college, Caitriona developed an interest in politics and began volunteering for local campaigns including Paul Vagianos for State Assembly and Christine Ordway for State Assembly. In Spring 2016, Caitriona studied abroad at John Cabot University in Rome, Italy where she had the opportunity to expand her worldly views, attend a Catholic Easter Mass at the Vatican, and make lifelong friendships. In May 2017, Caitriona graduated from Sacred Heart University with her Bachelor of Science in Political Science.

Caitriona joined my team as an Intern in my Washington, D.C. office in September 2017 and was quickly offered a full-time position on my staff as Staff Assistant in November 2017. As Staff Assistant, Ms. Rafferty was instrumental to my team through managing my D.C. internship program, assisting my constituents by planning tours in the nation's capital, and assisting staff with legislative and communication projects. In February 2018, Ms. Rafferty was promoted to Legislative Correspondent. In this capacity, she ensured every constituent concern or question was promptly addressed.

Ms. Rafferty's laid-back personality and steadfast work ethic was a valuable asset to my office. She was greatly respected by her peers for attention to detail and dedication to her work. Outside of work, Caitriona enjoys going to the movie theater, listening to podcasts, wandering through museums, but above all, she loves spending time with friends and family.

Ms. Rafferty's time with my office will come to an end at the beginning of the 116th Congress on January 3, 2019. I have no doubt she will continue to be successful and grow professionally in her future endeavors.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Ms. Caitriona Rafferty for her public service to the people of California's Central Valley and wishing her well as she embarks on the next chapter of her life.

REP. ELIZABETH ESTY FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to thank Congresswoman ELIZABETH ESTY for her productive years in Congress and on the Science Committee in particular. Representative Esty has served her constituents in Connecticut proudly during her time in Congress.

Among other accomplishments, she enacted H.R. 255, the ''Promoting Women in Entrepreneurship Act'', in the current Congress. She also sponsored on H.R. 1020, the ''STEM Education Act of 2015'', which became law. It promoted educational opportunities for students in STEM subjects.

It is because of her principled approach that 33 of the Science Committee's 35 bills that were approved on the House floor were bipartisan.

ELIZABETH was willing to work across party lines to get legislation passed. It has been a pleasure serving with ELIZABETH in Congress.

THANKING DYLAN COLE CHANDLER

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Dylan Cole Chandler for his service to my office and the people of California's Twenty First Congressional District.

Mr. Chandler was born on July 17, 1992 in Huntsville, Alabama. As a child, Mr. Chandler was always supported and encouraged to learn by his parents, Christie Chandler Barclay and Douglas Hines Barclay II.

Growing up in Alabama with his sister, Emma, Mr. Chandler enjoyed being active and challenging himself academically as he held the position of Class Officer and played varsity soccer while attending New Hope High School. Upon graduating in 2010, Mr. Chandler attended the University of Alabama in Tuscaloosa where he became an active member of the University's Lambda Chi Alpha Fraternity. During the spring semester of his junior year, Mr. Chandler furthered his interest in American politics, gaining firsthand experience of the political process in Washington, D.C. while interning for Congressman MO BROOKS of Alabama.

Mr. Chandler graduated from the University of Alabama with a Bachelor of Arts in Political Science in 2015 and soon returned to Capitol Hill beginning his career as a Legislative Correspondent in my Washington, D.C. office. In this position, Mr. Chandler successfully developed and maintained relationships with the constituents of California's Twenty First Congressional District, ensuring every voice was heard and concerns were thoroughly addressed.

Proving himself an integral member of my team, Mr. Chandler quickly moved up to take on the role of Senior Legislative Assistant. Mr. Chandler's dedication to the people of the Central Valley was unwavering as he worked tirelessly on legislative issues impacting my district including Agriculture, Financial Services, and Healthcare. These efforts were instrumental in securing millions of dollars in federal funding, improving the lives of countless people residing in my district.

Outside of work; Mr. Chandler is very active and enjoys skiing, golf, traveling, exploring local restaurants with various cuisines. His family and friends are incredibly important to him and he makes frequent visits to Alabama a top priority.

Mr. Chandler's time in my office will come to an end this January and he will begin a new chapter serving as Legislative Assistant to Congressman SEAN DUFFY of Wisconsin's Seventh Congressional District. While the Central Valley is losing a strong and reliable advocate, I have no doubt that Mr. Chandler will achieve many great things and continue working to help the lives of many others in the future .

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. Dylan Cole Chandler for his public service to the people of the Central Valley and wishing him the very best in this next chapter of his life.

REP. GENE GREEN FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to thank Representative GENE GREEN for his years of service in Congress. He and I have been members of the Texas delegation for years and I consider him to be both a colleague and a friend.

GENE has selflessly dedicated years of his life to represent the constituents of the 29th district of Texas. He has listened to their concerns and focused on the issues they care about.

GENE has worked with his colleagues on the Energy and Commerce Committee to pass legislation that has the support of both parties. His current leadership position as the Ranking Member of the Subcommittee on Health, as well as his previous leadership roles on the Committee has garnered him respect from his peers throughout Congress.

I wish GENE the best as he starts his next chapter.

TRIBUTE TO ANNA RAQUEL VETTER

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Ms. Anna Raquel Vetter for her service to my office and the people of California's Twenty First Congressional District.

Ms. Vetter was born on July 27, 1989 in Houston, Texas to Maria Santucci Vetter and Bruce Gary Vetter. Although Ms . Vetter spent parts of her childhood in Texas, Georgia, and Colorado, she spent the majority of her formative years in Champaign, Illinois. As the eldest growing up with her three brothers; Anthony, John, and Daniel, Ms. Vetter was always responsible, reliable, and, when needed, stern—making her a natural leader.

After graduating from The High School of Saint Thomas Moore in Champaign, Illinois in 2007, Ms. Vetter went on to continue her studies at the University of Illinois at Urbana Champaign. While attending the University of Illinois, Ms. Vetter also worked at a local boutique and in the Sports Marketing and Promotions Office for the University's Athletic Department. Balancing her studies and working two jobs, Ms. Vetter graduated in 2011 with a Bachelor of Science in Advertising and Political Science. Soon after, Ms. Vetter began her career on Capitol Hill working as Deputy Communications Director for her hometown Congressman, Timothy V. Johnson.

Ms. Vetter joined my team in February 2013 as my Communications Director. In this role, Ms. Vetter oversaw all outgoing communications and served as my formal spokeswoman and media liaison, cultivating and maintaining relationships with local, state, and national media outlets.

After demonstrating her natural leadership abilities, Ms. Vetter took on the position as Deputy Chief of Staff in April 2016. Through this, Ms. Vetter was a trusted advisor on my

long-term legislative plan and was integral in overseeing all operations and staff in my Washington, D.C. office. As a member of my team, Ms. Vetter was greatly respected by her coworkers for her professionalism and dedication to her work.

Outside of work, Ms. Vetter enjoys golfing, going to the gun range, hiking, and like a true Italian, making and eating pasta. However, she spends most of her freetime with her Labradoodle, Sullenberger ''Sully'' McCormack who she and her fiance, Ryan James McCormack, brought home on June 12, 2018. Additionally, Ms. Vetter is looking forward to her marriage to Mr. McCormack, which will take place on November 2, 2019.

Ms. Vetter's time in my office will come to an end as she becomes the Communications Director for Congressman Van Taylor at the beginning of the 116th Congress. Knowing Ms.Vetter's work ethic, professionalism, and undeniable love for the United States of America, there is no doubt that she will be successful in her new office and in all of her future endeavors.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Ms. Anna Raquel Vetter for her public service to the people of California's Central Valley and wishing her well as she embarks on the next chapter of her life.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mrs. HARTZLER. Mr. Speaker, on Thursday, December 13, 2018, due to a death in my family, I was unable to vote. Had I been present, I would have voted as follows:

On roll call no. 435, YEA.

REP. JARED POLIS FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to congratulate Representative JARED POLIS on his victory in the Colorado gubernatorial race even though it means he is leaving Congress.

I have worked with Representative POLIS on Science Committee issues over the years given his district contains both a National Oceanic and Atmospheric Administration (NOAA) and a National Institute of Standards and Technology (NIST) office. Congressman POLIS has shown an acute knowledge regarding High-Tech issues given his experience running internet-based companies in the private sector and his philanthropic work in the area.

I wish him the best of luck as he starts this new chapter serving the constituents of Colorado.

CELEBRATING THE BOLD VISION AND STEWARDSHIP OF OMAR BROWNSON DURING HIS TENURE AS FOUNDING EXECUTIVE DIRECTOR AND PRESIDENT AT RIVER LA

HON. JIMMY GOMEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. GOMEZ. Mr. Speaker, I rise today to celebrate the bold vision and stewardship of Omar Brownson during his tenure as founding Executive Director and President at River LA. Omar led efforts to transform the Los Angeles River, bringing renewed interest and a holistic approach to restoring its 51-mile expanse.

Since 2010, Omar has helped forge new partnerships that traverse public, private, and philanthropic sectors, fostering creativity and innovation. The vastness of the Los Angeles River and the diversity of the communities it connects create unique challenges that demand unique leadership. Through forward-thinking initiatives, Omar has been able to tackle these challenges through a wider lens—seeing opportunities to address inequity and climate change.

The history of the Los Angeles River is written by many and Omar has become squarely embedded in that history. Through the passionate collaboration of all those committed to its future, our children and grandchildren will be able to enjoy the beauty of this natural resource. As policy makers, advocates, and community leaders, we must all continue working together to create policies that ensure the protection and vitality of all of our planet's natural resources, including the Los Angeles River.

I ask all members to join me in commending Omar Brownson for his incredible dedication to the Los Angeles River.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mrs. HARTZLER. Mr. Speaker, on Wednesday, December 12, 2018, due to a death in my family, I was unable to vote. Had I been present, I would have voted as follows: on Roll Call no. 431, YEA; 0n Roll Call no. 432, YEA; on Roll Call no . 433, YEA; and on Roll Call no. 434, YEA.

THANKING COLE JONATHAN ROJEWSKI

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Cole Jonathan Rojewski for his near decade of service to the Central Valley Congressional Delegation, and particularly, for his work in various roles over the last six years for California's Twenty First Congressional District.

Mr. Rojewski was born in Clovis, California to parents Cynthia and Al Rojewski. Cole enjoyed growing up in Clovis countryside with his sister, Dena, and the family's many animals. From an early age, Mr. Rojewski had a love for animals and being outside. As a child and young adult, Cole was an active member of Future Farmers of America (FFA), something he continues to participate in today as a mentor to young FFA members. Cole attended Clovis High School and Clovis East High School, where he was a member of the school's men's golf team and graduated in 2006. Following his graduation from High School, Mr. Rojewski attended California State University, Fresno, where he graduated in 2011, receiving a Bachelor of Arts Degree in Political Science.

It was while attending CSU Fresno that Cole found an interest in politics. Beginning in 2010, Cole worked for Congressman DEVIN G. NUNES as a Field Representative in his Clovis District Office. Mr. Rojewski continued to work for Mr. NUNES throughout his time in college, and also had an active role on campus as Vice Chair of the Central Valley Region of the California College Republicans.

In 2012, Mr. Rojewski played a vital role in my first campaign for Congress. Following my election that November, Mr. Rojewski joined my team in Washington D.C. Throughout the last six years in my office, Mr. Rojewski has played a vital role in our success representing the Central Valley, having served as my Office Manager, Campaign Manager, Deputy Chief of Staff, and most recently as my Chief of Staff from 2015 to the end of 115th Congress.

Cole's natural leadership abilities, supreme work ethic, and keen political instincts have made him a truly invaluable member of my team, and an excellent public servant elevating the needs of the people of the California's Central Valley throughout the halls of Congress and our nation's Capitol.

Following the 115th Congress, Cole's time in my office will come to an end, but I look forward to seeing what the future has in store for him. I have no doubt he will continue his great work in politics and will have many great achievements in the future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Cole Rojewski for his public service to the people of the Central Valley and wishing him the very best in this next chapter of his life.

SPEAKER PAUL RYAN FAREWELL

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 19, 2018

Mr. SMITH of Texas. Mr. Speaker, I'd like to recognize PAUL RYAN's 20 years of exemplary Congressional service with great appreciation and gratitude.

I think Speaker of the House may be the toughest job in America. A Speaker has to gather 218 votes to approve any measure, unlike executives who can simply issue orders.

PAUL may be the first Speaker who didn't seek the office and, instead, was drafted by the Republicans in Congress—a true testament to the respect his colleagues have for him. And he has handled the speakership with humility, dignity, and confidence.

Speaker RYAN also has consistently made his family a priority, even forgoing political activities on weekends to be with them.

I thank PAUL for his leadership and heartfelt commitment to our nation.

REP. DANA ROHRABACHER FAREWELL

Mr. Speaker, I'd like to recognize the gentleman from California for 30 years of service in Congress. He cares deeply for California's Orange County and his constituents.

DANA ROHRABACHER has been an active member of the Science Committee and has been the Chair of the Space Subcommittee. In fact, he was such an able Chairman, I requested a waiver to keep him in that position for two years beyond the regular six-year term limit.

After beginning his career as a speechwriter for President Ronald Reagan, DANA, who is an avid surfer, continued to ride the wave of political service by running and winning his first campaign for Congress in 1988.

A true public servant, DANA has an infectious personality and a sense of humor that brightens any room. In fact, some of his jokes are even funny.

I thank DANA for his friendship and for his service.

REP. ILEANA ROS-LEHTINEN FAREWELL

Mr. Speaker, I'd like to recognize my friend and colleague, ILEANA ROS-LEHTINEN, or, as she allows me to call her, LILY.

When I first met ILEANA, I asked her if she had a nickname. She told me her friends call her LILY and so could I.

Her accomplishments as a Congresswoman from Florida's 27th congressional district are historic. She was the first Cuban-American elected to Congress and also had the distinct honor of serving as the first Chairwoman of the House Foreign Affairs Committee.

She has left a positive and indelible mark on Congress and on her colleagues. I thank LILY for her dedicated service to our country.

REP. KEVIN YODER FAREWELL

Mr. Speaker, I want to thank my colleague, Congressman KEVIN YODER for his years of service to Kansas's 3rd congressional district.

KEVIN's childhood on a family farm in rural Kansas gave him strong values and a work ethic. As the student body president at the University of Kansas, he showed an early affinity for politics before he entered Congress.

His work here on the Appropriations Committee has focused on balancing the budget, reducing our national debt, securing our borders, and spurring private sector job growth, all in the best interests of our country.

I've enjoyed working with him on these shared goals, and I've also enjoyed our friendship off the Floor when we regularly play doubles tennis matches with BOB GOODLATTE, FRED UPTON, and SHELLEY MOORE CAPITO.

Whether on the tennis court or in the halls of Congress, KEVIN is a team player, exhibiting determination and a good attitude. I thank KEVIN for his service in Congress and for his friendship.

REP. RANDY HULTGREN FAREWELL

Mr. Speaker, I'd like to recognize the gentleman from Illinois for his eight productive years in Congress.

RANDY HULTGREN has been passionate about public service from a young age. He got his start as an intern in D.C. and was then elected to the Illinois House of Representatives, the Illinois Senate, and as the representative of Illinois' 14th district.

Over the years, there have been few, if any, members who rival RANDY's steadfast commitment to supporting the U.S. research system. His district is home to a Department of Energy National Laboratory, FermiLab, and he has played a pivotal role in keeping the United States at the forefront of high energy physics.

I thank RANDY for his efforts in promoting American innovation. His service has made an impact that will continue to benefit his constituents and our country.

REP. BARBARA COMSTOCK FAREWELL

Mr. Speaker, I'd like to recognize the gentlewoman from Virginia for her years of service in the U.S. Congress.

BARBARA COMSTOCK has been an active and effective member of the Science Committee and Chair of the Research and Technology Subcommittee for four years.

She worked tirelessly to promote STEM education and opportunities for American students. Her commitment to empowering women in STEM fields motivated her to author the INSPIRE Women Act, a law that enables NASA to encourage young women to pursue a STEM education.

No doubt Barbara honed her skills while attending high school in my home state of Texas, where she also met her husband. But I know her heart has always been with her constituents in Virginia. I thank her for her public service and the influence she has had on the education of our young women.

REP. BOB GOODLATTE FAREWELL

Mr. Speaker, I'd like to recognize a best friend in Congress, BOB GOODLATTE of Virginia.

I often cite BOB as an example of an ideal Member of Congress. Over his 26 years, he has proven himself to be a dedicated public servant, resilient leader, and exemplary statesman.

During his congressional career, BOB served as Chairman of both the Agriculture and Judiciary Committees, one of the few members of Congress to chair two committees.

He also is a leader on Internet and high-tech issues. BOB's work to foster innovation in the technology sector. has contributed to our nation's economic growth.

He is knowledgeable, smart, persistent, cheerful, and a strategic thinker. That's why he is a great Member, a great Chairman, and an inspiration to friends, family, and colleagues.

It has been a privilege to serve with BOB and know him as a close friend.

REP. TREY GOWDY FAREWELL

Mr. Speaker, I'd like to recognize the gentleman from South Carolina for his eight years of distinguished service in Congress and for his successful Chairmanship of the Oversight Committee.

TREY GOWDY has one of the sharpest legal minds I have ever encountered. He possesses that rare combination of smarts, confidence, and humility.

TREY is a skilled debater and a masterful cross-examiner on the Judiciary Committee. Perhaps it goes back to his education at Baylor University in the great state of Texas.

He will leave a legacy as one of the most capable and versatile experts of law we have in Congress.

I thank TREY for his leadership and service that has benefitted his constituents, the Congress, and our country.

REP. DARRELL ISSA FAREWELL

Mr. Speaker, I'd like to recognize the gentleman from California for his 18 years of service in Congress.

DARRELL is intellectually gifted, and his knowledge of electronics and technology is unmatched in Congress. And, as a holder of 37 patents, DARRELL knows the importance of protecting the property rights of artists and inventors.

He is also a skilled representative and leader. His time as Chairman of the Committee on Oversight and Government Reform was one of the Committee's most productive and effective periods. In fact, I appreciate him allowing some of his best staff to join me on the Science Committee.

DARRELL will continue to excel as Director of the Trade and Development Agency and I wish him well with his new responsibility.

REP. STEVE KNIGHT FAREWELL

Mr. Speaker, I'd like to recognize the gentleman from California for his long-time service to our country.

STEVE KNIGHT is an active member of the Science Committee and Vice Chair of the Energy Subcommittee. He authored several bills to advance research initiatives, improve STEM education, and promote opportunities for women in aerospace.

His father was an Air Force test pilot who still holds the world record for top speed in a winged aircraft. STEVE also followed the patriotic calling by joining the Army and serving 18 years with the Los Angeles Police Department.

He has dedicated his professional life to the people of California, holding office in the State Assembly, State Senate, and here in the House of Representatives.

I thank STEVE for his commitment and service.

RECOGNIZING KATIE DASINGER OF SIDNEY

HON. GREG GIANFORTE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. GIANFORTE. Mr. Speaker, I rise today to honor Katie Dasinger of Sidney for her efforts to engage young professionals in Eastern Montana to serve their communities and develop their skills.

Dasinger is founder and president of Sidney Young Professionals (SYP), a group focused on community service as well as personal and professional development. The program coordinator for the Richland Economic Development Corporation (REDC) in Sidney, Dasinger launched SYP in 2016.

SYP recently held its annual winter school benefit which was dedicated to helping teachers replenish their classrooms with supplies, equipment, and other items for the new school semester. SYP collected more than 25 large shopping bags of supplies as well as donations from the public and local businesses.

SYP regularly organizes entrepreneurship panels, roundtable discussions, public forums, training programs, and tours of area businesses.

When a court ruling threatened the Lower Yellowstone Irrigation Project (LYIP) at nearby Intake, SYP and REDC coordinated bus tours,

organized educational outreach, and bolstered community support for the vital irrigation project. Their efforts contributed to a positive outcome for the thousands of area residents who rely on the LYIP to irrigate crops and provide water for their municipal systems.

''We want to engage young adults to invest in their communities, get to know the local business and community leaders, serve on local boards, and take part in community events. It's important young people have a reason to stay connected to the area,'' said Dasinger, who Montana Young Professionals recognized as the Young Professional Woman of the Year for 2018.

Mr. Speaker, for her leadership, commitment to promoting community service, and efforts to develop young professionals in her community, I recognize Katie Dasinger for her spirit of Montana.

HONORING THE INNOVATIVE WORK OF MUNICIPAL GOVERNMENTS IN ILLINOIS'S 10TH DISTRICT

HON. BRADLEY SCOTT SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. SCHNEIDER. Mr. Speaker, I rise today to celebrate the creative accomplishments of our local municipalities who have gone above and beyond to serve our communities. Innovation is alive and well in the cities, towns and villages of Illinois's Tenth Congressional District.

Some of these local achievements were recently recognized by the Lake County Municipal League highlighting the commitment, vision and ingenuity of our civic leaders.

The City of North Chicago, Illinois won top honors for their work creating a Summer Youth Employment program titled ''Learn, Earn and Return.'' The program has employed over 100 local low-income youth in summer internships through public and private partnerships in its first four years. Working alongside city staff, these summer interns develop valuable leadership and career skills that are crucial in an increasingly competitive job market. According to the City, since ''Learn, Earn and Return'' started, youth crime in North Chicago has decreased by 80 percent.

The Village of Mundelein was also honored for the successful launch of their revitalized 1–2-3 building permit program that will allow for greater efficiency. The improvement earned an Honorable Mention at the awards dinner.

Other Lake County municipalities made significant strides in the past year to bolster their local small businesses, improve public safety and beautify their communities. In an effort led by Mayor Terry Weppler, the Village of Libertyville highlighted over 100 of their local businesses with personal visits and were featured on the Village website. The Village of Beach Park partnered with the City of Waukegan to design, install and implement an early warning outdoor notification system. Finally, the Village of Buffalo Grove, the Buffalo Grove Park District, and the Living Lands Conservation Company collaborated to construct a nursery to grow native aquatic plants.

We all strive to live in vibrant, healthy and dynamic communities. The work of these, and other, municipalities are helping to realize that dream.

I applaud these municipalities and the dedicated civil servants for their commendable efforts to serve our communities. I look forward to learning more about these innovative efforts, and to continuing to work closely together in the months ahead.

SUPPORTING HOUSE RESOLUTION 1091

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. SMITH of New Jersey. Mr. Speaker, earlier this month, the House passed H. Res. 1091, offered by my friend from Ohio, STEVE CHABOT. I support this resolution and commend my colleague for his leadership on a pressing issue of concern. If democracy dies in darkness as the Washington Post masthead daily reads, surely the release of the Reuters journalists will bring a little light back to Burma. But only a little light unfortunately.

We all believed that Nobel Peace Prize laurate Aung San Sui Kyi would govern differently from past Burmese leaders. Unfortunately, she has not. The democratic icon has become an extremely disappointing politician. On her watch one of the world's largest ethnic cleansings has occurred—the forced and violent removal of Rohingya from Burma. The blood of Rohingya is on her hands. Over half a million Rohingya were removed and untold numbers killed by a military that long planned for this operation.

I commend the Administration for using Global Magnitsky sanctions to target Burmese military leaders and units. But with atrocities continuing against the Rohingya and other Burmese minorities, more clearly needs to be done. Expanding sanctions against companies and cronies linked to the military leadership is a potential game changer in any punitive approach to this issue. And the U.S. should be urging the EU and other nations to do the same.

I understand the arguments made by those who urge caution, fearing that too much pressure on Aung San Sui Kyi will lead to a military coup, with the full backing of Beijing no doubt. But at what price, silence? Thousands of deaths? Half a million people forcibly removed? Condoning crimes against humanity and genocide? We cannot be bystanders to genocide. As with the mass detention of Uyghur Muslims in China or the genocide experienced by Christians and Yazidis at the hands of ISIS, U.S. leadership is needed to create a global response to this crisis. I again commend the gentleman from Ohio for this resolution. Preventing and addressing genocide and mass atrocities are a core national security interest and a core moral responsibility of the United States.

COMMEMORATION OF THE MITRE CORPORATION'S 60TH ANNIVERSARY YEAR

HON. SETH MOULTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. MOULTON. Mr. Speaker, I rise to note that 2018 marks The MITRE Corporation's 60th anniversary. MITRE is a not-for-profit company that operates seven federally-funded research and development centers. Its 8,700 employees work in the public interest, free from commercial conflicts of interest, at two primary locations in Bedford, Massachusetts and McLean, Virginia, and at other sites around the world. MITRE's principal sponsors include the Department of Defense; the Center for Medicare and Medicaid Services; the Department of the Treasury and the IRS; the Department of Veterans Affairs; the National Institute of Standards and Technology; the Federal Aviation Administration; the Department of Homeland Security, and the federal courts.

The company's staff works on some of the most challenging technical problems facing our nation, performing analysis, planning and concept development; R&D; engineering; and systems acquisition work. Since its earliest work to develop the nation's first air defense system, MITRE has generated countless innovations to address emerging threats, improve healthcare, defend cyberspace, secure our borders, ensure aviation safety, protect financial integrity, support our veterans, and more.

I congratulate MITRE's employees for their vital work over six decades to solve problems for a safer world, and wish them continued success in the years to come.

HONORING THE 100TH ANNIVERSARY OF THE FORDHAM RAM, FORDHAM UNIVERSITY'S JOURNAL OF RECORD SINCE 1918

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise to celebrate and honor the 100th anniversary of The Fordham Ram, a publication of true purpose and high achievement, whose exemplary programs and accomplishments have made many contributions to the Nation and our communities.

The Fordham Ram, hosted by one of New York City's distinguished institutions of higher education, Fordham University, is the newspaper of record and student voice at Fordham's Rose Hill Campus. The newspaper has served students, staff, alumni, and The Bronx community through award-winning, fair, and professional journalism since 1918. The staff and alumni of The Fordham Ram have remained dedicated to objective journalism in the public's interest for 100 years.

The Fordham Ram's 100th anniversary is an auspicious occasion to recognize the accomplishments of the distinguished alumni who have also written for the newspaper during their time at Fordham University. Notable alumni include Louis D. Boccardi ('58), the former President and CEO of the Associated Press; Loretta Tofani ('75), Pulitzer Prize winner at the Washington Post; Malcolm Moran ('75), former reporter for the New York Times and USA Today; Thomas Maier ('78), author and prize-winning investigative journalist for Newsday; Jim Dwyer ('79), two-time Pulitzer Prize winner and columnist for the New York Times; Michael Kay ('82), the voice of the New York Yankees on the YES Network and ESPN Radio host; Jack Curry ('86), analyst for the YES Network; and the legendary Vin

Scully ('49), the voice of the Los Angeles Dodgers, Baseball Hall of Fame broadcaster, and Radio Hall of Famer. The significant contributions these individuals have made to the field of journalism are a testament to the true spirit of excellence instilled in them at The Fordham Ram.

Mr. Speaker, I respectfully ask that my distinguished colleagues in the U.S. House of Representatives join me in honoring the Fordham Ram for its 100 years of remarkable dedication to fair journalism and its longstanding commitment to improving The Bronx.

IN RECOGNITION OF JUDGE DAVID GARCIA

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. BURGESS. Mr. Speaker, I rise today to recognize the Honorable David Garcia, Judge of Denton County Criminal Court No. 3, for his service to Denton County and to the many combat veterans he has impacted through his work with the Denton County Veterans Treatment Court Program (VTCP).

Judge Garcia was appointed to the Denton County Criminal Court No. 3 on September 1, 1997 and will conclude his tenure at the end of December after 21 years of service to our community. Since 2012, he has presided over the Veterans Court. After his appointment to the Court, Judge Garcia not only completed a backlog of cases, but he also built a new model for veterans courts that prioritizes improving the quality of mental health care available to justice-involved veterans. Under his guidance, the veterans court provided evaluation and treatment for certain veterans' combat-related mental illnesses. In his role, Judge Garcia shifted the focus in sentencing from the pursuit of judicial compliance and reduced recidivism toward a regimen that allows combat veterans suffering from the impact of PTSD and MST to graduate from the VTCP program and return to their families and communities with charges dismissed.

As a Member of Congress, one of my greatest privileges is to support veterans in North Texas and around the country. During his two decades of service, Judge Garcia has advocated for broader veteran health care access by supporting the Veterans Access, Choice and Accountability Act of 2014 and the VA MISSION Act of 2018, legislation that improves care for those who have sacrificed and served for our country. On behalf of the 26th District of Texas, I extend my sincere appreciation to Judge Garcia for the contributions he has made to the Denton County community and to our region's veterans.

PERSONAL EXPLANATION

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. THORNBERRY. Mr. Speaker, on Wednesday, December 19, 2018, I was unable to be in Washington and missed roll call votes No. 436 ''Concurring in the Senate Amendment to H.R. 1222—Congenital Heart Futures Reauthorization Act of.'', No. 437 ''Concurring in the Senate Amendment to H.R. 6615—Traumatic Brain Injury Program Reauthorization Act of 2018.'', No. 438 ''To amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.'', No. 439 ''To amend the Public Health Service Act to provide grants to improve health care in rural areas.'', No. 440 ''To require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.'', No. 441 ''To amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.'', No. 442 ''Concurring in the Senate Amendment to H.R. 6227—National Quantum Initiative Act.'', No. 443 ''To direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes.'', No. 444 ''To expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.'', and No. 445 ''To reauthorize the Museum and Library Services Act.''. Had I been present, I would have voted ''yes'' on all ten bills.

LIBERALISM EXPLAINED

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. SMITH of Texas. Mr. Speaker, I now have a unified theory that I believe explains the ideology of liberals.

It covers their views of virtually any subject—higher taxes, open borders, more regulations, and the traducing of traditional values.

The reason liberals want more government control is so they can control our daily lives. The reason liberals want to control our daily lives is because they think they are smarter than the American people. The reason they think they are smarter than the American people is . . . well, there is no good reason.

I'm sure many liberals are well-meaning. They want what they feel is best for the country. But that's the problem. They want to impose their views on the American people.

Conservatives want to conserve values and protect freedoms—free speech, freedom of religion, and freedom from excessive government control. That, I believe is what Americans want too.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. TURNER. Mr. Speaker, I was unable to vote on Roll Call vote 437. Had I been present, I would have voted YEA on Roll Call No. 437.

RECOGNIZING THE VALDOSTA STATE FOOTBALL TEAM

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on December 15, 2018, the Valdosta State University Blazers football team secured their fourth NCAA Division II Football National Championship in a 49–47 thriller over Ferris State University in McKinney, Texas. The Blazers 2018 season was anything but ordinary, finishing 14–0 and scoring 50+ points in eight out of 14 games this season.

Valdosta, Georgia in Georgia's Eighth District is affectionately known as ''Title Town,'' home to football powerhouses in the state and across the nation at both the high school and collegiate levels.

I want to congratulate the Blazers, Coach Kerwin Bell, Valdosta State President Richard Carvajal, and the entire football and athletics staff at Valdosta State for this accomplishment. Georgia is very proud of you, and I hope you will take time to celebrate another title in Titletown.

RECOGNIZING THE LIFE OF MR. CURTIS RAY GOODE

HON. JAMES COMER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. COMER. Mr. Speaker, I rise today to recognize the life of Mr. Curtis Ray Goode of Marion County in the 1st District of Kentucky who passed away on December 17, 2018. Born November 8, 1946, Mr. Goode valiantly served in the Marine Corps during the Vietnam War. After serving his country, he was not only a talented diesel mechanic with UPS in Louisville but steadfastly worked for the betterment of his fellow veterans as a devoted member of the Marion County Veterans Honor Guard, the Lebanon VFW, and the American Legion.

Mr. Goode's service in the United States Marine Corps is evidence of his dedication to safeguarding our nation's freedoms and values and is worthy of our deepest respect and admiration. His patriotic spirit and dedication to his country were rivaled only by his fervent commitment to his family and his enthusiasm for serving others.

I join with his family and loved ones—including his wife of 51 years, Christine Goode, his children, and his extended family—in celebrating his lifetime of accomplishments and recognizing his noble service to our nation. His outstanding legacy of service and compassion lives on in each member ofhis family and in all those who knew him.

PERSONAL EXPLANATION

HON. PATRICK T. McHENRY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. McHENRY. Mr. Speaker, I was unavoidably detained and could not make it to votes.

Had I been present, I would have voted YEA on Roll Call No. 436, 437; YEA on Roll Call No. 438, 439; YEA on Roll Call No. 440, 441; YEA on Roll Call No. 442, 443; and YEA on Roll Call No. 444, 445.

CHINA IS CHEATING ITS WAY TO THE TOP

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. POE of Texas. Mr. Speaker, Communist China is a growing threat to the United States and global peace. Its values and interests do not match our own. This is evident by recent reports of a atheist China imprisoning thousands of Muslim Uighurs in reeducation camps and the ongoing persecution of Tibetans and Chinese Christians. China's interests completely conflict with our democratic principles and the international order that has kept the peace since the end of the Second World War. China is cheating, stealing, and bullying its way towards great power status. It is our duty to stand up to Beijing's bad behavior.

Two decades ago, America, as the leader of the free world and the largest economy on Earth, gave the People's Republic of China a chance to prove itself as member of the global economy. We believed they were making free market reforms and potentially ending their communist system which had kept millions in poverty. By granting Beijing permanent normal trade relations, many in Congress hope that opening the global market to China would encourage further liberalization within the repressive state. But instead of the world changing China, China has been working to change the world to get ahead. While it did embrace some elements of capitalism, it bent the rules using state-owned enterprises and corruption to cheat. It made investments in innovative American companies so it could steal technology. It forced American companies wanting to do business in China to surrender certain rights, including intellectual property. And Beijing instituted a widespread cyber theft campaign to steal trade secrets and cutting-edge research. Beijing made the decision to cheat the international system it was invited into so that it could gain strategic dominance.

Until now, China's deception worked. It even tried to export its unfair business practices through the Belt and Road Initiative. But this too proved to be a giant debt trap that Beijing sold to developing nations. Countries like Sri Lanka and Malaysia have ended their participation in China's ambitious plan because they realized that all of the projects the People's Republic was building in their countries benefited only China. Even the workers employed to construct Belt and Road infrastructure in these countries were Chinese rather than local workers. Instead they were left with were roads to nowhere and crushing debt to China. Fortunately, the world is waking up to Beijing's modern colonialism.

But China's ambition to pull ahead at others expense did not end there. Within all of Beijing's economic malpractice, it has aimed to seize technology and strategic positioning that would also give it a military edge over the United States. By stealing American technology, China has been able field advance weapon systems before our own forces. Meanwhile through Belt and Road, China acquired ports and airports around the globe that can be used as military bases that then enable them to control strategic chokepoints and resources without firing a shot. We have most evidently seen this in illegal island building in the South China Sea. Combined with its rapid military build-up, which will give China a fleet that outnumbers the U.S. Navy by 2020, we are quickly losing our military supremacy to China. The ramifications of such a dramatic shift in power from the U.S. to China will be devastating to our way of life.

Against an authoritarian China that can overmatch our own forces, American will be severally limited in how it protects its interests abroad and respond to Chinese aggression. Principles such as freedom of the seas and free flow of trade will be in jeopardy, having a direct impact on the daily lives of Americans. We must also remember that throughout history such major shifts in geopolitical power rarely came peacefully. In humanity's enduring battle between tyranny and democracy, America has played a decisive role in creating world where freedom preserved over evil. That world is now again in danger.

And that's just the way it is.

HONORING THE LIFE OF REV. DENNIS WAYNE WOOD

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. ROGERS of Alabama. Mr. Speaker, I rise to recognize the life of Rev. Dennis Wayne Wood.

Dennis served in the United States Army Military Police Corps for 21 years and retired as First Sergeant. He was married to Judy for 53 years and was blessed with three daughters: Kim, Lori and Misty and nine grandchildren.

Dennis owned and operated American Awards in Anniston, Alabama, for over 30 years. He served as pastor of several churches in Calhoun County and was a faithful member of First Baptist Church of Weaver. Dennis served as a deacon there and one year as chairman of the deacons. He taught Sunday School, lead the Operation Christmas Child Program at the church and served as a volunteer chaplain at Regional Medical Center.

Mr. Speaker, please join me in honoring the life of Rev. Dennis Wayne Wood.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent from the chamber on Wednesday, December 19, 2018. Had I been present, I would have voted "yea" on roll call votes 436, 437, 438, 439, 440, 441, 442, 443, 444 and 445.

TRIBUTE TO DARRIN SCHRADER

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. ROYCE of California. Mr. Speaker, I rise to recognize and thank Darrin Schrader, who has served this House proudly for over 25 years. He began his career in the office of Representative Bill Baker (R–CA), and then transitioned to my office in 1997. Darrin has been by my side, as my aide-de-camp, for the last 22 years, and I would have it no other way.

His loyalty and dedication to the job of serving the people of Southern California is unsurpassed. As my special assistant, Darrin personally oversaw millions of constituent correspondence; a task that grew exponentially with the advent of email. He also helped secure millions in funding for important infrastructure and homeland security projects.

My office has been served well by Darrin's encyclopedic memory and masterful research skills. He has often known the answer to my question before I even ask it. Few can match his resourcefulness or reliability.

While sometimes presenting a stoic façade, Darrin's subtle charm and hidden humor have permeated my office for the last two decades. He has earned the respect of his peers and become an integral and irreplaceable member of Team Royce.

I ask my colleagues to join me in thanking Darrin Schrader for his selfless sacrifice to public service.

IN HONOR OF MRS. PEARL SEIDMAN FOR HER DEDICATED CAREER OF PUBLIC SERVICE

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CLEAVER. Mr. Speaker, I rise today to recognize and show my utmost gratitude to a deeply valued member of my staff, Mrs. Pearl Seidman. On Friday, December 21, 2018, Pearl will bid her final farewell after a year as my Brookings Legislative Fellow to continue her career at the National Security Agency. Since her first day on the job in January, Pearl has overseen a legislative portfolio that includes: healthcare, energy, environment, natural resources, labor, pensions, social security, and postal issues, some of the most critical issues facing my constituents. Over the past year, Pearl has dedicated her time to serving the people of the Fifth Congressional District of Missouri with nothing short of unconditional integrity and drive. Now, I would like to take this opportunity to give thanks on behalf of myself and the constituents she has served so honorably.

Pearl was born in Newark, New Jersey, however, she spent the majority of her upbringing split between Philadelphia and Baltimore, respectively. Following her graduation from high school, Pearl would embark on a lifelong commitment to learning and serving others. Pearl would go on to receive her Bachelor of Arts in Psychology from the University of Maryland, a Masters in Applied Behavioral

Science from Johns Hopkins University, a masters in human and Organizational Systems from Fielding Graduate University, and a Doctorate in Human and Organizational Systems from Fielding Graduate University. That passion for knowledge has continued with her time in my office, as she regularly attends briefings, seminars, and classes. Now you can see why I was so pleased to have her join my staff.

Professionally, Pearl has spent 37 years working for the National Security Agency, doing various jobs for a critical agency in the federal government. Born to two Holocaust survivors, Pearl has always had a passion for helping others. At the NSA she primarily served in roles that pertained to workforce development, working to evolve and advance the skills of future leaders of America. Over the year she has worked on my staff, I can say I have seen personally her passion and talent for developing young minds. The way she has worked with congressional interns and junior staffers to not only help them serve my congressional district, but to cultivate abilities that will serve them down the road has been remarkable to watch.

Personally, Pearl has spent the past 42 years married to Alan Seidman. She has two very fortunate children, Lee and Ross, who are impressive men in their own right. Having the curious mind that she does, Pearl loves to spend her time traveling, going to museums, trying new activities, and, of course, sharing all of her experiences with those who ''just need to try it!'' A perfect example of her love for expanding her horizon is her decision to move to England, where she wound up living for nine years, until home came calling. For the sake of myself and my constituents, I'm certainly glad she did return.

Having known Pearl for a year now, I can say she is one of the most kind-hearted, passionate, and curious individuals I have ever had the pleasure of having on staff. Her perpetual upbeat attitude and friendly nature have been a tremendous asset to the office, and something that we will all work to carry on as a legacy to her impact on me and my staff. We are sad to see her move on to other endeavors, but so thankful for the opportunity to have worked with her for the past year. Mr. Speaker, please join me in showing our appreciation for the fantastic work Pearl Seidman has provided, not only to the Fifth Congressional District of Missouri, but to the nation as a whole.

TRIBUTE TO GREG GALLION

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. MCCARTHY. Mr. Speaker, I rise today to honor Greg Gallion on his retirement after a long, fruitful career as CEO of Houchin Community Blood Bank.

Greg was born and raised in Bakersfield, completing his education at Marymount College in Salina, Kansas. Greg's future in bettering the lives of others was foreshadowed when he moved to Albany, New York, to work with delinquent children at the St. Francis Homes for Boys and Girls. He would make his return home to Bakersfield in 1975, working for two years at Three-Way Chevrolet and then an impressive 24 years in the title insurance industry. For all of Greg's successes, his greatest impact came with his hiring as Houchin Community Blood Bank's Chief Executive Officer. As CEO, Greg worked tirelessly for 17 years to help local healthcare providers meet the needs of the Kern County community.

Greg saw nothing but potential in Houchin Community Blood Bank and quickly worked to build the company infrastructure and increase the scope of Houchin's presence across Kern County. Greg oversaw the construction of a new headquarters for Houchin in Bakersfield, doubled the number of employees and introduced the use of six-bed buses during blood drives. These actions not only helped put more Kern County citizens to work, but also increased the accessibility of the blood bank as well as better supplied local hospitals. Not content to rest on Houchin's laurels, Greg expanded the company's life-saving services, collecting and providing blood, plasma, platelets, and other blood derivatives. Where some CEOs would be content maintaining a status quo, Greg always strove to innovate for the sake of his employees, customers, and the community he served.

More than anything else, Greg will be remembered as a leader who put his community first, factoring the wellbeing of his patients and clients in every decision he made as CEO. As CEO, he established Houchin's slogan, ''people live when people give,'' words that continue to inspire thousands across Kern County to donate blood each year. Greg's community involvement did not end at his desk, as he maintained an impressive community presence, having led as President of Bakersfield Downtown Rotary and Director of the Kern County Fair Board, as well as active involvement with the Executives Association of Kern County and the Kern Advisory Council for Valley Public Radio.

Greg Gallion departs Houchin Community Blood Bank a stronger and more impactful institution than when he joined it. Through his work, Greg left an unmistakable impression on our community that I know will be felt for years to come. It has been a pleasure getting to know Greg over the years both in his official capacity with Houchin and as a fellow member of Bakersfield Downtown Rotary. While it is the community's loss to see Greg leave Houchin, I know that that he will now have the time to enjoy the things he loves most, such as traveling with his beloved wife of 38 years, Sheryl. I wish Greg all the best as he and his family begins this new chapter of his life.

PERSONAL EXPLANATION

HON. SETH MOULTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. MOULTON. Mr. Speaker, due to personal reasons, I was unable to vote on Wednesday, December 19, 2018. Had I been present, I would have voted YEA on Roll Call No. 436; YEA on Roll Call No. 437; YEA on Roll Call No. 438; YEA on Roll Call No. 439; YEA on Roll Call No. 440; YEA on Roll Call No. 441; YEA on Roll Call No. 442; YEA on Roll Call No. 443; YEA on Roll Call No. 444; and YEA on Roll Call No. 445.

THANKING ANDREW GABRIEL RENTERIA

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Andrew Gabriel Renteria for his service to my office and the 21st Congressional District of California over the past three years.

Mr. Renteria was born in Fresno, California to parents Rudy and Yolanda Renteria on August 25, 1998. He attended Jackson Elementary and Sanger High School, both located in Sanger, California, where the Renteria family still resides to this day. It was Renteria's experience serving as Sophomore Class Vice President, Junior Class President, and ASB President, that he first became interested in politics. After graduating from Sanger High School in 2016, he went on to attend California State University, Fresno where he enjoyed cheering on the Bulldogs at every chance he got. In May 2011, Andrew graduated from Fresno State with Bachelor of Science in Political Science.

Mr. Renteria has been a member of my team since 2013, first serving as a Field Representative in my Hanford, California office. In 2015, he relocated to Washington, D.C. to serve as my Senior Legislative Assistant, analyzing and drafting public policy to benefit California's San Joaquin Valley. Dedicated to the success of the Republican Party throughout California, Renteria took a leave of absence in 2014 to serve as Field Director for the California Republican Party and again in 2016 to serve as my Campaign Manager. In March 2018, Andrew Renteria returned to Washington to serve as my Legislative Director. In this position, Mr. Renteria brought a wealth of legislative experience and professionalism to my team and has been a very dependable and resourceful advisor and friend. Throughout his career, Mr. Renteria has been an invaluable asset to Team Valadao and the people of the Central Valley.

On January 2, 2019, Mr. Renteria's time in my office will come to an end and he will begin his next chapter serving as Chief of Staff to Congressman BRIAN FITZPATRICK. While I know he is very excited about this opportunity, he will be greatly missed as a member of my team.

Knowing Mr. Renteria, his character, and his work ethic, I have no doubt that he will achieve many great things in his future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Andrew Renteria for his public service to the people of the Central Valley and wishing him well in this next chapter of his life.

HONORING THE LIFE AND LEGACY OF FRED M. FEHSENFELD, SR.

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the life and legacy of Fred M. Fehsenfeld, Sr., a decorated World War II

pilot and founder of The Heritage Group who died on November 28, 2018 at the age of 94. He was a pillar of the Indianapolis community and an outstanding patriot, businessman, family man, friend, trusted advisor and mentor to many, including myself. Fred was known for his ingenuity and hard work which he displayed throughout his tremendous life. The people of Indiana's Fifth Congressional District are forever grateful for Fred's significant contributions to our City of Indianapolis, the State of Indiana, and our United States of America.

A life-long Hoosier, Fred was born in Indianapolis, Indiana, in 1924 to John and Ruth Fehsenfeld. He was a graduate of Shortridge High School, where he and his three brothers loved sports and music. He went to Purdue University at the age of 17 and majored in mechanical engineering. It was there where Fred had his first flying experience with the Purdue Glider Club. At the age of 18, in the middle of World War II, Fred enlisted in the US Army Air Corps and at the age of 20 he was assigned to the 354th Pioneer Mustang Fighter Group in France, a famous group of P51 Mustangs and P47 Thunderbolts. A true patriot, Fred courageously flew 89 missions in Europe during World War II and was awarded the Air Medal with three Silver Clusters and a Silver Star. Fred led his squadron on the last official flight in the European Theater of Operations, barrel rolling over an Austrian prisoner of war camp to let his fellow pilots know the war in Europe was over. Ever dedicated to our country, he later served in the Indiana Air National Guard.

Fred later earned his bachelor's degree in mechanical engineering at Purdue University. In 1946 he married his college sweetheart Mildred (Midge) Cornelius and throughout their life together had seven children. Fred began his career at Rock Island Refining as a process engineer. A few years later, his father John asked him to join the family business, Crystal Flash Petroleum, a company that employed 100 people and operated gas stations and sold home heating oil. An extremely hard worker and creative problem solver, Fred quickly grew the family business and entered into the asphalt industry. Dedicated to success, he taught himself how to manufacture asphalt by conducting research at the public library. In 1960, he built an asphalt facility, which is still in operation today. With his passion for business and an entrepreneurial spirit, Fred transformed Crystal Flash Petroleum into the Heritage Group, which today employs 6,500 people worldwide. With operations in North America, Europe, and China, the Heritage Group grew to include interests in Environmental and Remediation, Specialty Chemicals and Fuel Products, as well as Construction and Materials. Fred, who earned the reputation as an extraordinary boss, was dedicated to prioritizing the well-being of his employees and treated them as partners. Known as an incredible relationship builder, he was able to draw remarkably talented people to the company and regarded them as members of the extended Fehsenfeld family.

Fred's commitment to improving the American economy was equaled by his desire to tackle challenges with national implications. This passion led him to develop the concept of Critical Commerce Corridors, which separate car and truck lanes on interstate highways. The corridors will save lives while reducing pollution and congestion. The concept of Critical Commerce Corridors was included in the Fixing America's Surface Transportation (FAST) Act which was signed into law on December 4, 2015. Due to his efforts, Indiana's Governor Eric Holcomb recognized Fred in 2017 for his many contributions to the State of Indiana, naming Interstate 865 the ''Fred M. Fehsenfeld, Sr. Highway.''

In his personal life, Fred was a committed member of his community, a member of Junto for over fifty years, a former Chairman of the Asphalt Institute and a loyal supporter of his alma mater, Purdue University. With gifts to Purdue, he established the Purdue Energy Fund, the Fehsenfeld Family Head of Environmental and Ecological Engineering and expanded the Division of Environmental and Ecological Engineering. He also received an honorary doctorate in Civil Engineering from Purdue University. In addition, Fred was the recipient of many Sagamores of the Wabash from several Indiana governors, the highest honor the governor of Indiana can bestow upon a citizen.

Fred was preceded in death by his first wife, Mildred (Midge) and two of his children, Jan (John) Dillow and Mike (Robin) Fehsenfeld all of whom are greatly missed. On behalf of Indiana's Fifth Congressional District, I extend my deepest condolences to Fred's wife, Barbara, his brother, Mac Fehsenfeld, his additional five children, Jo (Nick) Rutigliano, Fred (Suzie) Fehsenfeld Jr., Jim (Becky) Fehsenfeld, Frank (Judy) Fehsenfeld, Judee Fehsenfeld as well as his twenty grandchildren and twenty-four great grandchildren.

THE MAJESTIC METRO—HOUSTON'S HISTORICAL HUB

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. POE of Texas. Mr. Speaker, after speaking on the House floor more than 2,000 times since joining Congress some fourteen years ago, I can promise you the majority of the many hours spent in this chamber were focused on history. This comes as no surprise. You could say I am a history buff of sorts. Heck, everyone knows it. My walls at home in Texas and here in Washington have been filled with memories from the past. Texas history in particular is what I love most.

Well, Mr. Speaker, today I want to talk about a little piece of Houston, Texas history that many Houstonians may not know about, the Majestic Metro. The Majestic Metro is the last remaining in-tact theater in Houston built before 1930. It is safe to say that parking garages have taken the place of many former historical theaters. But, not for the Majestic Metro. It still stands strong in the vibrant heart of downtown Houston.

Originally owned by sisters Stella and Lillian Scanlan, and opened April 15, 1926 under its maiden name, the Ritz, the primary role of this theater was to entertain the masses. Its grand opening showcase was the Buck Jones feature, ''The Fighting Buckaroo.'' What better way to start off its tenure than with a country-western film. But, there is one unique aspect about this movie and others during its time, there was no sound, except for that of the live music in the background. That's right, no fancy high tech sound systems, just a pipe organ. So, the only thing movie-goers were hearing was the chuckles, sniffles, and gasps of their neighbors with the organ in the background. With tickets ranging from 5 cents and 15 cents during the beginning of the Ritz, many Houstonians found their way to Preston Street in downtown Houston for a night out.

The history of the Ritz is so rich because of the many stories its walls can tell. From different owners and styles such as silent country-western films to Spanish films, the Ritz became the Cine Ritz during the 1940's. Decades later, in the 60's and 70's, the name that Houston now knows, the Majestic Metro, was born. The Majestic Metro at this time saw a transition from the old fashion silent country-western and Spanish films to exploitation and kung fu films, then to more mature films, a little too explicit for the RECORD I'm afraid.

Well Mr. Speaker, times were tough, and the theater came to a close. However, like every good feature film, or at least the ones I like, there was light at the end of the tunnel for this Houston landmark. Local businessman, Gary Warwick, and history buff like me, had a vision for this unique piece of the past.

Instead of allowing the theater to be demolished or showing those old westerns the theater had once known, Gary turned this historical landmark into a place where history would continue living. Today, the Majestic Metro captures the beauty of the past by maintaining many stylistic features of the original architecture.

The Majestic Metro wasn't Gary's only historical contribution to Houston. He was also a pivotal player in the project to restore the Market Square Clock in Houston's Market Square, just a few feet from the Majestic Metro. The Market Square Clock which is a part of the Louis and Annie Friedman Clock Tower is on the corners of Travis and Congress in downtown. For Gary's efforts in the restoration project, he was able to be the first person to hand wind the clock upon its completion in the restoration.

Mr. Speaker, this is exactly why I love history. The Majestic Metro saw the best of times and the worst of times, but it has withstood time as one of Houston's most authentic historical landmarks. The walls of the Majestic Metro have quite a few stories to tell, and thanks to Houstonian Gary Warwick, they can continue to share their history and beauty for years to come.

And that's just the way it is.

HONORING LUKE ROMANG

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Luke Romang. Luke is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Luke has been very active with his troop, participating in many scout activities. Over the many years Luke has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Luke

has become a Brotherhood member of the tribe Mic-O-Say. Luke has also contributed to his community through his Eagle Scout project. Luke organized and built a wood shed for the Antioch Community Christian Church with the assistance of his fellow Scouts.

Mr. Speaker, I proudly ask you to join me in commending Luke Romang for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THANKING PERRY FINZEL

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Perry Finzel for his service to my office and the 21st Congressional District of California over the past year.

Mr. Finzel was born in El Paso, Texas on May 18, 1979. Soon after graduating high school in 1997, Mr. Finzel joined the United States Marine Corps. In his seventeen years of service, Mr. Finzel was involved in enlistment recruitment, military operations, and the supervision of components crucial to the success of personnel. He was known as a hardworker, adept multitasker, efficient manager, and dedicated soldier. Perry was honorably discharged as a Staff Sergeant, after participating in Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF). We are forever grateful for his service to our nation.

Perry's commitment to excellence extended far beyond his military career. He was successful in obtaining a Bachelor of Science in Business, concentration in Management, from the University of Phoenix. Beginning a new chapter in Bakersfield, California, Perry also worked as a supervisor for a solar company and customer service associate for a hardware store.

Perry became a member of my Congressional Team in 2017, serving as our Wounded Warrior Fellow and Kern County Field Representative. He proved to be a strong asset in Kern County, creating meaningful connections with community leaders and representing my team with charisma and professionalism. Local leaders consistently praised Perry for his genuine care for the community and willingness to show up to countless meetings and events. His dependability in field representation combined with his powerful ability to connect with people made Mr. Finzel an invaluable member of my team and a true public servant to the people of California's Central Valley.

Outside of work, Perry enjoys staying involved in veteran service organizations. He also loves spending time with his family. Perry and his wife, Julie, have two beautiful children: Cadence and Nate. Raising his children with his wife has become one of the greatest joys in his life. This January, Mr. Finzel will be moving on to new ventures. Knowing Perry, his character and worth ethic, I have no doubt he will achieve many great things in his future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Perry Finzel for his public service to the people of the Central Valley and wishing him the very best in this next chapter of his life.

TRIBUTE TO KATE BARLOW

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. ROYCE of California. Mr. Speaker, I rise today in order to commend Kate Barlow, who has loyally served on my staff as director of scheduling and operations for over six years. Previously she served in a similar role for Rep. Wally Herger (R–CA).

Kate has simultaneously served as expeditor, gatekeeper and manager of my daily schedule. Given my dual role, as Representative of the 39th District of California and Chairman of the House Foreign Affairs Committee, this has never been an easy task. As we can all attest, the trajectory of a day on Capitol Hill is never a straight line nor does it end as planned.

In her role, Kate has brought order out of chaos and extinguished daily fires with technical skill and humor. Given the sheer volume of meeting requests from embassies and foreign dignitaries, she has learned to say sometimes ''yes'' and often ''no'' with grace and professionalism in many languages. She has shown daily kindness and patience in a place lacking in both.

Over the last year, Kate's role in my office has grown to serve as director of protocol and member services for the House Foreign Affairs Committee. She successfully organized and took part in a bipartisan congressional delegation trip to South America and coordinated committee-wide meetings with visiting Heads of State.

I have no doubt she will continue to grow and succeed in her future endeavors.

I ask my colleagues to join me in thanking Kate Barlow for her service.

TRIBUTE TO HERB JACKSON OF THE BERGEN COUNTY RECORD ON HIS RETIREMENT

HON. BONNIE WATSON COLEMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mrs. WATSON COLEMAN. Mr. Speaker, I wanted to take a moment today to praise the work of a longtime New Jersey reporter who has announced his retirement from The Bergen Record. Herb Jackson is one of New Jersey's most cherished reporters. He has covered my state's congressional delegation in Washington for over 20 years and reported on critical issues and concerns for New Jerseyans encountered. At a time when reporters are under attack, it is essential to honor the role that journalists play—in telling stories that need to be heard and holding elected officials accountable. Herb has done that with fervor and pride, giving insight on issues that matter in New Jersey and beyond. I greatly value the work that Herb put in each day here in D.C. to keep my constituents informed of the work that we do here in Congress. The news community is losing a successful journalist who is respected by many. He will be hard to replace and we are eternally grateful for all the time that he put in with the Record. The New Jersey delegation will miss Herb, and I wish him good luck in the next chapter of his life.

TRIBUTE TO MARK V. BOZIGIAN

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. McCARTHY. Mr. Speaker, I rise today to recognize Mark V. Bozigian on his retirement after a long distinguished career in public service, serving most recently as City Manager for the City of Lancaster, California.

While he is best known for his extensive career in public service, Mark cultivated his business and managerial acumen in the private sector after graduating from Loyola Marymount University with a Bachelor's and Master's Degree in Business Administration. It was during his time in the private sector that Mark developed the tireless work ethic that would define his tenure at the City of Lancaster. For ten years, Mark worked for Hughes Aircraft, where he held a variety of management positions, most notably as Business Manager for two of Hughes Aircraft's laser production programs. Mark also gained experience as a realtor and as a small business partner, forging pivotal personal and business relationships that he carried with him into his career in the public sector.

Mark has served the City of Lancaster for 24 years, building a portfolio of accomplishments across his roles as Lancaster's Transportation Programs Coordinator, Redevelopment Director, Assistant City Manager, and City Manager. During his eleven years as Lancaster's City Manager, Mark has dedicated his time and energy to bolstering public safety, economic development, transportation, neighborhood revitalization, and obtaining Federal and state grant funding for city projects. Most notably, Mark has overseen Lancaster's impressive development in renewable energies, working to make the city the solar capital of California and courting companies to bring jobs and clean energy technology to our community. Mark's efforts have been a great success—Lancaster's economy has grown under his guidance, and the city now produces more solar power per capita than any other city in California. Mark also worked to revitalize Lancaster's downtown BLVD district and has been a key player in the recent, rapid growth of Lancaster's booming aerospace industry.

More than anything else, Mark routinely demonstrates a love for his city and the people he represents, working around the clock to better Lancaster without ever seeking credit or commendation for his service. Once, following heavy rains that caused flooding on Lancaster's east side, Mark was among the first on the scene. Knee-deep in water in his suit, he walked door-to-door informing and reassuring citizens that help was on the way. During a Fourth of July celebration, city traffic was so heavy that it reached a standstill, but Mark was there acting as a traffic guide, doing his best to ensure that Lancaster's citizens could get home a little more easily. Mark always took responsibility, and always put the interests of the people of Lancaster first.

I have known Mark as a tireless advocate for the needs of his city. Over the years, it has been an honor to work with him to improve the

lives of every resident of Lancaster. I have always been impressed by his tenacity to ensure that the people and businesses he represents have their voices heard at the highest levels of government and the successes he has achieved over the course of his public service. Over the past ten years, Lancaster has undergone a period of unprecedented economic growth, and this is undoubtedly in no small part because of Mark's steady hand and dedication to his community. While it is Lancaster's loss to see Mark leave city government, I am confident that he has laid a foundation that will contribute to the city's success for years to come. As Mark begins this new chapter of his life, I wish him, his wife, Karen, and their family all the best.

HONORING DARLENE GUTHRIE

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mrs. WALORSKI. Mr. Speaker, I rise today to honor retired Elkhart Police Officer, Darlene Guthrie. Her acts of selflessness, sacrifice, and public service have distinguished her among her peers, and she is well-deserving of recognition.

For 20 years, Darlene served as a police officer with the Elkhart Police Department, displaying a dedication to public safety and commitment to service that have truly made northern Indiana a better place to live. Now Darlene is serving her fellow Hoosiers by joining the Indiana Guard Reserve.

Darlene has also spent countless hours rescuing animals, helping her neighbors get back on their feet, and volunteering in her community. She combined her experience in law enforcement with her passion for animals to become a nationally certified Animal Cruelty Investigator, eventually taking on the role of rewriting Elkhart County's Animal Ordinance and updating the Elkhart Police Department's animal law summary. And she served on the Elkhart County Humane Society's Board for four years and even became interim director.

She goes above and beyond in everything she does, and her drive to make a difference has not only shined light on the causes closest to her heart but has made her a local leader that organizations and institutions look to for guidance. Her distinguished leadership and love of family, community, and country are what brought her to her most recent accomplishment at the age of 52: graduating from the Indiana Guard Reserve Basic Training on December 15, 2018.

Darlene's determination to never give up no matter what life brings is an inspiration to us all and teaches a positive message of perseverance. We can all learn from someone who never shies away from a challenge and always strives to do what is right. It is a privilege to represent Hoosiers like Darlene who continue to strengthen our community.

Mr. Speaker, I ask my colleagues to join me in thanking Darlene Guthrie for her honorable service to the northern Indiana community, and congratulating her on her graduation to become a member of the Indiana Guard Reserve. Darlene is a role model, a leader, and a dedicated public servant who inspires us all.

STAND FIRM BRAVE IRANIANS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. POE of Texas. Mr. Speaker, this year has been another important year in pushing back on the tyrannical Iranian regime. The passion and determination of the Iranian people in the face of a corrupt and despotic regime provides much needed inspiration to us all.

We are witnessing historic times in Iran. The Iranian people are still fighting for their rights in the streets. As much as the regime tries to hide it, or use violence to suppress it, change is coming to Iran. The world is more aware that the Supreme Leader and his thugs are not moderates that should be welcome among other responsible nations. Instead, through the bravery of the Iranian people, the world knows they are murderers and thieves.

There is a reason why Iran has earned the title of the world's number one state sponsor of terrorism. It sends millions of dollars to fuel wars in Syria and Yemen and enriches its proxies in Lebanon, Iraq, Bahrain and Gaza. A few weeks ago, the Coordinator for Counterterrorism Bureau at the State Department told my subcommittee that Iran spends $1 billion dollars a year to support its terrorist proxies. It steals this money from the Iranian people and responds with brutality if they dare speak out. But they continue to speak out.

I have always been proud to stand with them. The cause of freedom in Iran is just and righteous, and it will never be silenced. Together we are having an impact. The people of Iran, including the MEK, have sacrificed so much for the cause of liberty. They have spoken the truth and have exposed this regime for the evil it is: a state run by terrorist thugs. Iranians have been imprisoned, tortured, and murdered fighting for the cause of freedom. Iranian dissidents have been forced to flee their homes, refugee camps in Iraq, and the wider region to escape the Mullahs reach. Fortunately, many Iranians have found safety in the West and we are working tireless to make sure Iran's evil intentions can no longer hurt them. Throughout all of it, these Iranians have stood firm with remarkable courage.

But the fight is not over, because the fight for freedom in Iran is not over. The regime continues to find ways to evade sanctions, and so we must continue to pursue them. With the help of the Iranian people, we will find how they cheat and expose them.

The Mullahs are relentless, so we must be too. In the end democracy and justice will prevail as it always has. The American people stand with the people of Iran, because we believe in freedom, liberty, and the American way. They must keep their heads high, and remember they are on the right side of history. The tide is turning. Iran will be free.

And that's just the way it is.

BIRTHDAY WISHES TO MRS. ELSIE MAYER

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to extend the happiest of birthday wishes to Mrs. Elsie Mayer, a resident of the Williamsburg, Brooklyn, New York, and a centenarian, who will be celebrating her 107th birthday on December 23, 2018.

Elsie was born in Poland on December 23, 1911. It was a world much different from today. From an early age, she learned to endure famine, poverty and the human cost of war. Elsie's life is characterized as one of a survivor and a woman with great strengths and unyielding selflessness.

She came to America at the age of 10 with her family who first settled in Manhattan, and later moved to Williamsburg, Brooklyn. It is in Williamsburg years later that she meets her future husband Joseph. Together they raised three children, their sons Martin and Stuart and daughter Marsha. Elsie worked hard, enjoying sewing and baking, especially apple pies for her family.

Over the course of 107 years, Elsie has experienced countless remarkable events in New York and our country. Elsie symbolizing decades of longevity and hard work, this occasion reflects an important milestone in a growing segment of American life: the Centenarian. Over the years, special individuals like Elsie have contributed to our nation and witnessed remarkable changes and extraordinary progress. She has lived through some of the most exciting times in our nation's history.

Today, Elsie enjoys the company of her surviving and beloved children, grand-children and community. She has many friends at the Independence Neighborhood Senior Center. As we celebrate her birthday, we celebrate her faith, her optimism, her health and the innumerable lives she has touched throughout her life. I ask my colleagues to join me in honoring Mrs. Elsie Mayer on this special occasion of her 107th year birthday.

TRIBUTE TO KAYLA ANN RILLO

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Ms. Kayla Ann Rillo for her service to my office and the people of California's Twenty First Congressional District.

Ms. Rillo was born on September 19, 1994 in Paterson, New Jersey to Diane and Anthony Rillo. Growing up in Totowa, New Jersey with her three sisters, Alyssa, Reanna, and Tia, Ms. Rillo always had immense love and pride for her family. Coming from a large family, Ms. Rillo has a natural competitive drive, a strong sense of self-awareness, and the ability to distinguish herself from others. Through that, Ms. Rillo succeeded academically with ease as she competed in varsity track, basketball, and softball at Passaic Valley High School in Little Falls, New Jersey.

After graduating from Passaic Valley Regional High School in 2012, Ms. Rillo went on

to attend Seton Hall University in South Orange, New Jersey where she was able to pursue her love for helping others and giving back to the community by joining Alpha Gamma Delta Sorority. During her time at Seton Hall University, Ms. Rillo developed a strong interest in law and politics, gaining firsthand experience as an intern for the Honorable Judge Dennis Cavanaugh while he served the U.S. District Court for the District of New Jersey's Third Circuit. Given Ms. Rillo's competitive nature, she graduated early with her Bachelor of Arts in Political Science.

Kayla joined my team as a Legislative Correspondent in my Washington, DC office in July 2016. In this role, Ms. Rillo was instrumental to my team through composing constituent correspondence that was critical to building relationships with the citizens of California's Twenty First Congressional District. In February 2018, Kayla was promoted to the position of Legislative Assistant, where she worked on critical pieces of legislation, especially the Military Construction and Veterans Affairs Appropriations bill. As a member of my team, Ms. Rillo was greatly respected by her peers for her professionalism, loyalty, and dedication to her work.

Outside of work, Kayla participates in a local softball league, enjoys exploring DC with friends, travelling to new places, and spending time with her family. Most recently, Ms. Rillo became a proud aunt to her new nephew, Cesar Ricardo Correa, IV.

Ms. Rillo's time with my office will come to an end on January 3, 2019 when I leave my office as the 116th Congress begins. I have no doubt that she will continue to be successful and grow professionally in her future endeavors. Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Ms. Kayla Rillo for her public service to the people of California's Central Valley and wishing her well as she embarks on the next chapter of her life.

PERSONAL EXPLANATION

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. FLORES. Mr. Speaker, due to flight scheduling, I was unable to vote on December 19, 2018. Had I been present, I would have voted YEA on Roll Call Nos. 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, and 446.

RECOGNIZING MR. PARKER GREENE

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on Tuesday, December 18, 2018, one of South Georgia's most influential and storied residents, Mr. Parker Greene, passed away. I, like many, was saddened to hear the news of his passing and offer my continued prayers to his wife Lucy, as well as his family and community, during this time.

In 1970, Parker and Dr. Lucy Greene moved to Valdosta, Georgia and quickly became integral members of the local community. Shortly after coming to town, Parker signed up to serve on the Chamber of Commerce military affairs board where he worked to maintain a strong relationship between the community and Moody Air Force Base, which calls the surrounding Lowndes County and South Georgia region home. Over the years, Parker and Lucy continued in various roles to strengthen the partnership between Moody, Lowndes County and Valdosta. They worked with military officials and local, state and federal leaders to prevent the base from being closed or realigned with other missions.

In 2005, Parker was named by then-Georgia Governor Sonny Perdue to the Georgia Military Affairs Committee, where he advocated for all Georgia military installations and facilitated communication between the Governor's office and Pentagon and Air Force officials. Parker also served on the first Air Combat Command's civilian advisory council, where he acted as a liaison between the Air Combat Command and local community leaders.

For this stalwart service to our nation and South Georgia, Parker was awarded the Loyce W. Turner Award for Public Service given by Valdosta State University Public Administration Advisory Council and the Air Force Distinguished Public Service Award, the highest honor the Air Force bestows on a civilian. Greene was also awarded the first ever Chief of Staff of the Air Force Award for Exceptional Public Service by Gen. T. Michael Moseley, the 18th Chief of Staff of the United States Air Force.

In his passing, countless U.S. Air Force leaders, including Air Force Chief of Staff Gen. David L. Goldfein, have offered their condolences and thanks for nearly 50 years of civilian service to our nation's Airmen.

Earlier this year, the South Georgia region was named a ''Great American Defense Community'' by the Association of Defense Communities and USAA. This honor is a testament to the years long, tireless work of local leaders in South Georgia, including Mr. Greene and his wife Lucy.

While we mourn the loss of Mr. Greene, we also celebrate his life well lived and his invaluable contributions to South Georgia which will be remembered for decades to come.

Goodspeed, Parker Greene.

TRIBUTE TO THE HONORABLE JEAN FULLER

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. MCCARTHY. Mr. Speaker, I rise today to recognize California State Senator Jean L. Fuller, who retires this year from the California State Senate following an exemplary career of public service. Over her career, Jean served two terms in the State Senate and two terms in the State Assembly representing pot1ions of Kern, Tulare, Inyo, and San Bernardino counties.

Born and raised in Shafter, California, Jean began her long career of public service as an educator, teaching elementary school in Lemoore, California. Later, Jean moved to Los Angeles County where she served in a variety of roles in the Keppel Union School District, culminating in her service as the District Superintendent from 1990 to 1999. Over her career in education, Jean gained firsthand knowledge of the issues impacting students and their teachers, building a passion that pushed her to dedicate her life to public service. From 1999 to 2006, Jean returned home to Kern County to serve as Superintendent of the Bakersfield City School District (BCSD), the largest elementary school district in the State of California. During her time with BCSD, Jean managed the district's 3,500 staff members to foster a safe and constructive learning environment for the 28,000 students the district served.

In 2006, Jean brought her years of knowledge and experience in education to Sacramento, representing the 32nd State Assembly District for four years. By 2010, Jean was successfully elected to represent the 18th and later 16th Senate Districts, where she became known as a consensus-builder among her colleagues. Jean was elected by her colleagues to serve as the Republican Leader of the California State Senate in 2015, becoming the first woman to hold this important top leadership post. During her tenure in the State Legislature, Jean achieved significant legislative success despite Republican minorities in both legislative chambers. Among her achievements, Jean secured tens of millions of dollars in funding to benefit public schools near military bases when her bill, SB 111, was signed into law with broad bipat1isan supply. Additionally, Jean advanced significant legislation to fight Valley Fever, a rare but potentially life-threatening disease that is endemic to our community. Through her efforts, Jean secured $3 million for Valley Fever research for use at the Valley Fever Institute at Kern Medical Center in Bakersfield. Jean's success in the fight against this disease is a significant step forward in finding a cure for an ailment that impacts so many in California's Central Valley.

Anyone wishing to serve the public would do well in emulating Jean's tireless work ethic, can-do attitude, and sagacious command of the issues impacting our communities and our state. Jean is unquestionably one of California's most beloved legislators and has paved a career exemplifying the best of public service. Her commitment to fight for her principles with civility, and her constant search for consensus and solutions among her Senate colleagues reflects the deep and enduring respect and admiration she has across the political spectrum. But perhaps one of the most honorable traits of a public servant is one that Jean is universally known for: keeping her word. From hard-fought policy battles on the Senate Floor to her annual travel commitment to her friends with the Camp Fire Girls of America, Jean could always be counted on, and her presence will be sorely missed in and around our community and in the California State Legislature. Jean's transition to a private life is a loss to our community, though I know she will spend her well-deserved retirement to focus on the things she loves most: her family and friends, and traveling and flying with her beloved husband, Russell. As Jean begins this new chapter of her life, on behalf of a most grateful community, state, and nation, I would like to express my profound appreciation to her and to wish her and her family all the best.

TRIBUTE TO ALEXANDER EDWARD TAVLIAN

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Alexander Edward Tavlian for his years of service to my office and the 21st Congressional District.

Mr. Tavlian was born on April 1, 1992 in Fresno, California. After graduating from Clovis West High School in 2010, Alex received his Bachelor of Arts in Political Science from University of California, Davis in 2014. He continued his education soon after, earning his Juris Doctor from California Western School of Law in 2017. He is now a member of the State Bar of California and a licensed attorney.

Alex first became a member of my Congressional Team in 2013 when he served as a summer intern in Washington, D.C. Mr. Tavlian's hard working demeanor and extreme talent left a strong impression on me and my staff, maintaining a close relationship with my office as he pursued other ventures. He rejoined my Congressional Team in 2017, serving as our Deputy District Director. Alex managed special projects and strategic initiatives, advising staff on pertinent district-level issues and coordinating media opportunities. He proved to be a strong asset across the 21st Congressional District, creating meaningful connections with community leaders and leading staff with wisdom and inspiration. Alex's wide breadth of policy knowledge combined with effective organizational leadership made him an in valuable member of my team and a true public servant to the people of California's Central Valley.

Throughout his professional career, Mr. Tavlian has shown strong passion and immense talent in the field of politics. He founded Sultana Media in 2014, a strategic communications and digital media firm serving political and public affairs campaigns. Servicing campaigns, presidential and local, Alex has become well known for his dedication and commitment to his clients. This past election cycle, Alex served as team Valadao's Campaign Manager.

Aside from politics, Alex also has a passion for the Nation's legal system. He has worked for and studied under multiple legal entities, including private law firms, the Fresno County District Attorney's Office, and the U.S. Attorney's Office. Being a licensed attorney himself, Alex brings a fresh legal perspective into each of his professional avenues.

Outside of work, Alex enjoys traveling across California, taking advantage of the sights to perfect his photography skills. He also is an avid sports fan, taking every opportunity to watch San Francisco Giants base ball and Oakland Raiders football.

This January, Mr. Tavlian will be moving onto new ventures. Knowing Alex, his character and work ethic, I have no doubt he will achieve many great things in his future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Alexander Edward Tavlian for his public service to the people of the Central Valley and wishing him the very best in this next chapter of his life.

MASTER SERGEANT JOSHUA WHEELER

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. PITTENGER. Mr. Speaker, Joshua Wheeler, a Master Sergeant in the United States Army, was killed in Iraq in October 2015 during a battle with ISIS. A highly-decorated combat veteran, he was awarded the Silver Star, Purple Heart, and Medal of Patriotism. Shortly before his death, he and his wife constructed a new home where they planned to raise their infant son together. The Wheeler's mortgage lender and servicer, Ditech Financial LLC, partnered with Lt. Colonel Richard Cantwell (Ret.), Chairman of the Patriot Military Foundation, to ensure Ashley was financially able to keep the home. I am happy that entities like this recognize the enormous sacrifice of all service members and their families, particularly Gold Star families like the Wheelers.

IN RECOGNITION OF THE EASTERN HANOVER VOLUNTEER FIRE DEPARTMENT

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. WITTMAN. Mr. Speaker, I rise today in recognition of the 50th Anniversary of the Eastern Hanover Volunteer Fire Department, a brave group of men and women who every day put their service to the community above self.

The Eastern Hanover Volunteer Fire Department was formed in October of 1967 with four charter members who placed second mortgages on their homes to pay for the new station. Since its founding the members of the Eastern Hanover Volunteer Fire Department have operated primarily on donations from the community for many years while also hosting fund raising events including Bingo games, chicken dinners, crab feasts and door-to-door fund drives. Since then, the Eastern Hanover Volunteer Fire Department has experienced significant growth and currently has twenty-four volunteer members and twenty lifetime members.

Mr. Speaker, I ask you to join me in recognizing the accomplishments of the Eastern Hanover Volunteer Fire Department. Words alone cannot express our gratitude. May God bless the operations of the Eastern Hanover Volunteer Fire Department, and I look forward to seeing their excellence for many years into the future.

THANKING JACQUELINE ''JACKIE'' HURDA FOR HER SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CONNOLLY. Mr. Speaker, I rise to thank Jackie Hurda for more than forty years of outstanding service to the United States House of Representatives in several administrative and support roles. She lives in Virginia's 11th District, and I am proud to represent her in Congress.

Jackie is retiring after working for the House of Representatives for more than four decades. Her career with the House began when she moved from Pennsylvania to the Washington, D.C. area in March 1978 to work for the Honorable Richard Taylor '' Dick'' Schulze of Pennsylvania. Jackie served as the systems administrator until Congressman Schulze's retirement in 1993. She worked in the same capacity for the Honorable Jim Kolbe of Arizona from 1993 until 2000.

In 2000, Jackie transferred to the Office of Financial Counseling under the Chief Administrative Officer (CAO), where she remained until her retirement. She started as a data entry specialist, but her work ethic and eye for detail resulted in a promotion to Financial Counselor within one year. She provided financial guidance and services to House offices to help ensure their expenditures adhered to applicable rules and accounting standards. Jackie's knowledge, experience, and attentiveness made her an invaluable asset to the House of Representatives over the years. She is well respected by her coworkers and colleagues.

Jackie and her husband Gary have four children; Abby, Randy, Maggie, and Gretchen; she has two grandchildren, Jake and Emma. Her parents, Fred and Rachel Graeff recently moved from Pennsylvania to live with her in Springfield, Virginia. Jackie is also active in her church and teaches Sunday school to three-year-olds.

I congratulate Jackie, and I ask my colleagues to join me in thanking her for her distinguished service to the House and the nation it serves. I wish her and her family all the best as she begins this new chapter in her life.

HONORING PASTOR KENNY FOREMAN

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. LOFGREN. Mr. Speaker, I rise today to honor Pastor Kenny Foreman, who passed away on December 16, 2018. I spoke three years ago on the impact he made on Santa Clara County and it saddens me that he has left us so soon. He was a beloved member of our community whose passing is deeply felt.

Pastor Kenny Foreman dedicated his life to the ministry. He started to travel the country at age seventeen as an evangelist minister. With his wife, Shirley, he continued his commitment to his beliefs and established the Cathedral of Faith in 1965. Since then Pastor Foreman was a pillar in our community's spiritual life. He has touched thousands of lives with a congregation of more than 12,000 members with over 70 ministries.

As his life's work, the Cathedral of Light, serves the spiritual needs ofthe community and gives help to those in need. One of the ministries, ''Reaching Out,'' is a food assistance program that operates one of the largest and most efficient food programs in the state of California. Their mission is to serve the low-

income, disadvantaged, and homeless in Santa Clara County. Other ministries serve those recently released from incarceration, give support to those with addiction, and aid parents with children who have special needs. These programs are just a few that support our community and are emblematic of Pastor Foreman's life-long service to others.

I first met and worked with Kenny Foreman nearly forty years ago. I know personally of his love for God and his dedication to our community and especially to those in need. He was a remarkable man and someone I was privileged to consider a friend.

Pastor Kenny Foreman is survived by sons, Ken and Kurt; their mother, Shirley; four grandchildren; two great-grandchildren; and countless friends. Mr. Speaker, our Santa Clara County community mourns his passing, but we are grateful for his life, his generosity, and his contributions. He has left our world a better place and will be dearly missed.

IN RECOGNITION OF DALLAS ''DALLY'' LEON WILLIS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Dallas ''Dally'' Leon Willis—a husband, father, and friend.

Dallas Leon Willis was born in Dallas, Texas to Eunice Williams Willis and John Albert Willis. Mr. Willis joined the United States Marine Corps on October 6, 1941, after graduating from Cleburne High School. His duties during his military service included an assignment as a tail-gunner on a B–24 Liberator. Additionally, he served as a photography specialist, a role in which he helped map the South Pacific. Over time, he rose through the ranks to become Master Technical Sergeant before concluding his time with the Marine Corps on November 13, 1945.

He then worked for Southwestern Bell Telephone Company, now known as AT&T. His leadership skills led him to join the Communication Workers of America (CWA) as the organizer ofthe annual Labor Day celebration in Odessa, Texas. He later assumed a legislative lobbyist position for CWA, during which he was instrumental in the passage of landmark telecommunications legislation. For his efforts, Mr. Willis was selected for the Texas AFL–CIO Labor Hall of Fame in 2015.

Mr. Willis was one of the most admired people to ever walk the halls of the Texas State Capitol. He was an individual who was always helpful. I recall when I joined the Texas Legislature, I could go to him for advice. In a resolution, the Texas Senate recognized him as the Dean of Texas Lobbyists.

CENSORED . . . ON SOCIAL MEDIA

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. SMITH of Texas. Mr. Speaker, the Media Research Center has released a report showing online media companies suppress conservative speech.

Their report found that ''War is being declared on the conservative movement . . . and conservatives are losing—badly. It's the new battleground of media bias. But it's worse. That bias is not a war of ideas. It's a war against ideas. It's a clear effort to censor the conservative worldview from the public conversation.

Twitter Leads in Censorship.

Facebook's Trending Feed has been Hiding Conservative Topics.

Google Search Aids Democrats.

YouTube is Shutting Down Conservative Videos.

Tech Firms Are Relying on (advisory) Groups That Hate Conservatives.

Liberal Twitter Advisors Outnumber Conservatives 12–to–1.

Tech Companies Rely on Anti-Conservative Fact-Checkers.''

Conservatives are right to be suspicious of these social media/tech media companies.

COMMENDING MR. JACOB BENNETT MIZNER

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Jacob Bennett Mizner for his service to my office and California's Central Valley.

Mr. Mizner was born on July 16, 1994 in Tulare, California to Kevin and Sharon Mizner. From an early age, Mr. Mizner developed a strong love for music, which led him to participate in productions at his local community theater and join Tulare Western High School's band and choir. After graduating from Tulare Western High School in 2012, Mr. Mizner furthered his love for the arts while participating in the musical and theater programs at Fresno Pacific University in Fresno, California in 2016. While attending Fresno Pacific University, Mr. Mizner, a lover of music, was involved in Fresno Pacific Concert Choir.

Upon graduating Magna Cum Laude in 2016 from Fresno Pacific University with a Bachelor of Arts in Political Science, Mr. Mizner joined my team as a Field Representative in Kings and Tulare Counties. As Field Representative, Mr. Mizner was known for his friendly, optimistic personality throughout both counties and his ability to create and foster connections with constituents, business leaders, and public officials.

In addition to participating in local musical groups, outside of work Mr. Mizner is an active member in Visalia First Assembly of God Church in Visalia, California. At Visalia First Assembly of God, Mr. Mizner leads small groups through the church's young adult program while also assisting in the planning and implementation of events within the church's community.

Mr. Mizner's faith and inherent love of helping those in need empowered him to volunteer with The World Race in January of 2017. Through this eleven-month mission trip, Mr. Mizner traveled to twelve countries throughout Africa, Asia, and Central America. In this role, Mr. Mizner was able to assist poverty-stricken areas by completing various tasks including working in orphanages and local prisons, overseeing and participating in manual labor projects, and teaching English in local schools.

In December of 2017, following this challenging and rewarding experience, Mr. Mizner continued his pursuit of helping others becoming the Constituent Services Representative in my District Office. Mr. Mizner's ability to listen to and connect with the people of California's 21st Congressional District is unlike that of anyone else and made him an invaluable member of my team. Mr. Mizner's determination, thorough work ethic, and genuine kindness did not go unnoticed by those he served and enabled him to truly excel in this position by going above and beyond to ensure the needs of every constituent were met. While Mr. Mizner's work for the 21st Congressional District will come to an end this January, his service to the Central Valley will continue as he becomes the Fresno County Field Representative for Congressman Devin Nunes. Knowing Mr. Mizner, his character, and his work ethic, I have no doubt that he will be successful in this new role and all future endeavors.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Mr. Jacob Mizner for his public service to the people of California's 21st Congressional District and wishing him well as he embarks on the next chapter of his life.

TRIBUTE TO THE HONORABLE LISA GREEN

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. McCARTHY. Mr. Speaker, I rise today to honor Lisa Green on her retirement after a long, accomplished legal career and her eight years of service as the District Attorney of Kern County in California, which I represent.

Born and raised in Buffalo, New York, Lisa moved west to attend Fresno State University. Upon graduating in 1980, Lisa attended San Diego Law School, where she quickly made a name for herself at the San Diego Law Review and for her membership on the law school's Moot Court. Lisa graduated law school in 1983 and notably received the Order of Barristers award for her exceptional skills in trial advocacy, oral advocacy, and brief writing. She then deepened her roots in the Golden State, moving to Bakersfield to work for the Kern County District Attorney's office and immersing herself in a community she has since called home.

As Deputy District Attorney, Lisa quickly gained a reputation as a talented prosecutor. In 2001, Lisa was promoted to Supervising District Attorney, and she was again promoted to Chief Deputy District Attorney in 2009. In 2010, Lisa ran and won a historic election for District Attorney of Kern County, becoming the first woman in Kern County history to hold the position as the county's chief prosecutor.

Over her 35 years of practicing law, Lisa has blazed a career to be proud of. As a trial lawyer, Lisa fought to put some of the worst members of society behind bars. Throughout her career, Lisa prosecuted over 110 felony trials, most of them being for homicides and sexual assaults. Despite the inherent difficulty of these trials, Lisa handled each of her cases through strategic preparedness, composure

and poise. During her tenure as a county prosecutor, Lisa prosecuted a number of high-profile cases which she handled with great determination and innovation. Notably, she successfully prosecuted a gruesome murder case by using the species of insect found on the suspect's car windshield to pin the suspect to the scene of the crime. Lisa's tenacity for justice proved time and time again that she was among the best in her field.

Lisa Green leaves her post at as Kern District Attorney having made her community a better, safer place. I will remember Lisa for her dedication to her department and her unflagging loyalty to local victims of crime. During a multi-year county budget crisis, Lisa guided her department with professionalism and skill, upholding the court's obligation to speedy trials without delay. She is a fixture at the annual Crime Victims' Rights March, and was renowned for the transparency and accessibility of her office. Lisa's retirement will be felt immediately in the Kern County legal community, though I am confident that the impact of her career of excellence will be felt for years to come. I wish her and her family all the best as she begins this next chapter of her life.

APPOINTMENT OF INDIVIDUAL TO NATIONAL SECURITY COMMISSION ON ARTIFICIAL INTELLIGENCE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. PALLONE. Mr. Speaker, today I rise, to withdraw my appointment of November 13, 2018, and to appoint Mignon L. Clyburn to the National Security Commission on Artificial Intelligence. My authority to effectuate this appointment as the Ranking Member of the House Committee on Energy and Commerce is set forth in Section 1051 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (P.L. 115–232).

RETIREMENT OF SAINT PAUL CITY COUNCIL MEMBER DAN BOSTROM

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. MCCOLLUM. Mr. Speaker, I rise today to honor a man who has dedicated his life to his family and serving his community and all residents of Saint Paul, Minnesota. As 2018 draws to a close, Council Member Dan Bostrom will leave the Saint Paul City Council after 22 years of distinguished service on behalf of his constituents, having made his city, and Saint Paul's Ward 6, more prosperous, safe and vibrant. His retirement caps a remarkable five-decade commitment to public service.

Dan Bostrom is a true son of Saint Paul's East Side. From a young age, he first met his neighbors by delivering papers for the Pioneer Press, and the now defunct evening paper, the Dispatch. After graduating from Saint Paul's Johnson High School, then from the University of Minnesota, Dan went on to become a police officer in the Saint Paul Police Department. Described by his colleagues as ''a very thoughtful guy, even under extreme pressure,'' Dan earned a reputation for treating everyone with respect and dignity during the turbulent 1960s and 1970s as Saint Paul and the nation were experiencing unprecedented racial tension and growing challenges of economic disparity. His respect for others, honesty, patience and empathy, not only made him an excellent keeper of the peace, but opened doors to a new level of public service.

During his service on the police department, Dan began serving on the District Two Community Council, which is an official community representative body that is charged with engaging with city projects in their neighborhoods. While serving on the district council, he was encouraged to run for the school board. He eventually went on to serve on the school board for 9 years, where he established soccer as a team sport in schools, introduced truant officers in Saint Paul schools, and helped to save the Monroe School from closure.

Witnessing his passion for the community and ability to deliver results, neighbors urged Dan to run for City Council, and was elected to the Saint Paul City Council in 1996. He went on to serve there for 22 years, six of which as Council President. During his time on the Council, Dan advocated for increased economic development on the East Side of Saint Paul, a historically working-class neighborhood which is one ofthe state's most diverse as well. Dan was instrumental in the creation of the Phalen Boulevard corridor, which serves as crucial connection from the East Side to the rest of Saint Paul. Whenever asked why, after so many years of exemplary and successful public service, he remained an active and engaged Council Member, he would often respond, that despite his successes, there were too many things left undone or at critical stages.

Nothing is more important to Dan than his family and neighbors. Throughout his life, he has been a devoted husband, father and grandfather. As his late wife Rosann faced a heroic battle with breast cancer, Dan was a constant support and caregiver. His commitment to others is fundamental to who he is, and that legacy has been passed along to his family, including his son Matt who is the former Ramsey County Sheriff. It is a privilege to call Dan a friend. I am grateful to have been able to count on him as a consistent partner on behalf of the East Side and Saint Paul residents throughout my service in the Minnesota Legislature and in the U.S. House of Representatives. His work ethic and dedication to public service is a model to our entire community.

Mr. Speaker, please join me paying tribute to Councilman Dan Bostrom for his exemplary career in public service. I wish him and his family all the best in his retirement, and to honor him for his lifetime of service to residents of Saint Paul.

RECOGNIZING THE LIFE AND SERVICE OF MINISTER HOWARD J. WOOLING

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize the life and service of long-time community leader, Minister Howard J. Wooling.

Minister Wooling received his Bachelor's degree in 1965 from Eastern Nazarene College where he majored in psychology, anthropology, and sociology. In 1967, he received his Master's degree from Boston College where he specialized in teaching the blind to walk with a cane. By 1972, Minister Wooling had his Master's of Public Health degree in Hospital Administration from U.C. Berkeley's School of Public Health.

Minister Wooling was baptized by Grover Wilson in 1968. From 1969 to 1976, he was the Assistant Minister for the Laurel Street Church of Christ. Minister Wooling was then the Assistant Minster at the Fremont Church of Christ before becoming a Minister at the Southside Church of Christ in Richmond in 1985, where he has continued to serve and strengthen our community to this day.

Minister Wooling has also served in various hospital administration roles, including as the Associate Director at both Highland Hospital and Stanford University Hospital, and as a group counselor at the County of San Mateo Juvenile Hall. In his capacity as a congregation leader, Minister Wooling led at least nine missionary groups to Nigeria, and several more to Cameroon and Panama. A part of Minister Wooling's legacy will be his guidance of at least four great preachers working today.

Minister Wooling and his wife, Ernestine, have four children: Renee, Collette, Valerie, and Anthony. Please join me in congratulating Minster Howard J. Wooling on a life full of love, faith, and dedicated service, and in wishing him great luck and joy in retirement.

CONGRATULATING WILLIAM RATLIFF ON HIS PROMOTION TO ASSISTANT POLICE CHIEF

HON. BRENDA JONES

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. JONES of Michigan. Mr. Speaker, today I rise to honor my constituent William ''Bill'' Ratliff for his commitment to public service and congratulate him on being named Assistant Chief of Police at Inkster's Police Department.

In 1987, while still attending high school, Mr. Ratliff got an early start to a career in public service as a Police Explorer for the Inkster Police Department. In 1991, he joined the Inkster Police Department as a Communications Assistant and Dispatcher. Mr. Ratliff excelled in that capacity and was rewarded with a promotion to Ordinance Officer.

In 1995, Mr. Ratliff would join the Detroit Police Department as their Spokesperson. He would remain with the department until he left for a private sector job in public relations.

In 2004, the Michigan Senate recognized Mr. Ratliff for courageous actions in donating a kidney to his best friend Omie Smith.

Mr. Ratliff's affinity for public service would eventually lead him back to public service. In 2006, he was named Chief of Staff for a Detroit City Council Member. A year later, he would return to his roots, becoming Inkster Police Department's Director of Emergency Management and Chief of Auxiliary Police.

In 2010, as a police officer, Mr. Ratliff was assigned to community policing. In 2014, his relentless hard work and tireless dedicated to ensuring public safety while taking heed to the needs of the community led to his promotion to the rank of Sergeant. Just two years later, he would be promoted again to Commander.

In 2018, Mr. Ratliff's commitment to service and public safety would be rewarded with a promotion to Assistant Chief of Police of Inkster's Police Department.

Today, I ask my colleagues to join me in congratulating Assistant Chief of Police William ''Bill'' Ratliff on his well-earned promotion and over two decades of selfless service to the people of Southeast Michigan.

THE TASTE OF FREEDOM—THE REPUBLIC OF FREDONIA

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. POE. Mr. Speaker, December 21, 1826 marks the beginning of the Fredonian Rebellion. This was the result of a conflict between the Mexican government and Haden Edwards, a settler in Texas, and reflected the growing tension between Mexico and settlers in Texas. Settlers that Mexico had wanted to live in Texas.

Haden Edwards received his empresarial grant in 1825, which allowed him to settle up to 800 families in East Texas, near Nacogdoches. The land this grant included was surrounded by a mixture of Native American tribes and other settlers. From the beginning of Edwards' time in Texas, he was a controversial figure. He posted signs around Nacogdoches demanding that all landowners show evidence of their claims or forfeit their land. Some of these landowners held earlier grants from Spain and Mexico that dated back more than 100 years, but not all of these landowners possessed the necessary legal documentation.

Tensions between Edwards and Mexico escalated even more in March 1826, when Edward's son-in-law, Chichester Chaplin, won the mayoral election in Nacogdoches. The election was contested, and the political chief in San Antonio, José Antonio Saucedo, reversed the election results and ordered Chaplin to turn over his mayoral duties to his opponent, Samuel Norris.

In 1826, Mexico revoked Edwards' land grant and ordered him to leave Texas. A Mexican military commander even set out to Nacogdoches from San Antonio with 100 soldiers to enforce this resolution. Instead of leaving, Edwards vowed to recruit an army and win independence from Mexico. He was supported by the settlers he had brought to Texas. He also hastily signed a treaty with the Cherokee to strengthen his claim.

The newly minted republic only survived for about five weeks. When Mexican military forces arrived on January 31, 1827, the revolutionaries retreated back across the Sabine River to the United States. Not a single Cherokee warrior had shown up to join the revolt.

Though the Fredonian Rebellion accomplished little, it is viewed by some to be the true beginning of the Texas Revolution and eventual independence from Mexico. Citizens of Nacogdoches, inspired by the taste of freedom, would go on to welcome Sam Houston to their city and elect him to the first colonists' convention in 1833. General Sam Houston became the commander-in-chief of the Texas army. Thus, setting a course for revolution, independence, and liberty in 1836.

And that's just the way it is.

PERSONAL EXPLANATION

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. FOSTER. Mr. Speaker, I was not present for votes Wednesday, December 19, 2018. Had I been present, I would have voted: Roll Call No. 436 Aye; Roll Call No. 437 Aye; Roll Call No. 438 Aye; Roll Call No. 439 Aye; Roll Call No. 440 Aye; Roll Call No. 441 Aye; Roll Call No. 442 Aye; Roll Call No. 443 Aye; Roll Call No. 444 Aye; and Roll Call No. 445 Aye.

RECOGNIZING THE DALE CITY VOLUNTEER FIRE DEPARTMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2018 installation of officers for the Dale City Volunteer Fire Department. DCVFD is located in Prince William County Virginia, 25 miles from our Nation's Capital. The DCVFD goes on an average of 20,000 calls per year, aiding the 75,000 constituents in Dale City, Virginia.

Incorporated in the Commonwealth of Virginia in 1967, the DCVFD serves as an organization of committed community members ensuring the safety of the families in Dale City. Funded strictly by the residents in Dale City, the Department has been able to significantly grow, opening up five stations in 50 years and having approximately 250 dedicated volunteers. From their bravery in action, to their presence with the youth in the community, DCVFD is readily available for the families of Dale City.

It is with great honor to include in the RECORD the names of the following Dale City Fire Department Officers:

Chief—Christopher Hool

Deputy Chief of Operations—Edgar Van Horn

Deputy Chief of Administration—James Delaverson

Deputy Chief of EMS—Barbara Brown

Assistant Chief of Training—Darrell Hudson

Assistant Chiefs—Stephen Chappell, Joseph Kerns, Michael Spencer

Captains—Eddy Dumire, Joshua Jensen, The Honorable Jeremy McPike, Marc Sherman, Sandra Sokol, Linda Wortham, Kimberly Batson

Lieutenants—Thomas Borsari, Michael Cajayon, Simon Courtman, Thomas Mazzo, Daniel Moran, Patrick Palacios, Donovan Stewart, John Van Horn

Sergeants—Philip Anthony, Robert Best II, Andrew Kelly, Robert Willis, Jabin Young, Stephanie DeFreitas, Bradley Gray, Matthew Werner

BOARD OF DIRECTORS

President—Walter Grochala

Vice President—Kimberly Batson

Secretary—Ricardo Hernandez

Treasurer—Robert Best II

Directors—Victor Angry, Eddy Dumire, James Jones, Gregory Shalawylo II, Edgar Van Horn, Leslie Van Horn, Matthew Werner

AUXILIARY OFFICERS

President—JoAnn Ferguson

Vice President—Dorothy Hudson

Secretary—Nicole Foster

Treasurer—Cindy Van Noppen

While a new executive board has been elected and new officers sworn in, the mission of DCVFD remains the same. Their motto, Second to None, amplifies their dedication of preparedness, safety, and strong community service. Over the past 50 years, DCVFD has educated and mentored the youth in Dale City, not only teaching fire safety education, but also strengthening community relations.

Mr. Speaker, I ask that my colleague join me in recognizing the men and women of the Dale City Volunteer Fire Department for their service to our country and steadfast commitment to their community.

PERSONAL EXPLANATION

HON. JACKY ROSEN

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. ROSEN. Mr. Speaker, on December 19th, on roll call votes 436, 437, 438, 439, 440, 441, 442, 443, 444, and 445, I was not present due to the severe illness of my brother, who sadly passed away later that evening. Had I been present, I would have voted YEA on all ten roll call votes.

HONORING THE LIFE OF REBECCA MAY WOOD STRINGER HOLBERT

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. ROGERS of Alabama. Mr. Speaker, I rise to recognize the life of Rebecca May Wood Stringer Holbert.

She was born on April 6, 1929, in Decatur, Alabama. Her father relocated his dental practice in 1936 and moved his wife and six children to a former boarding home on South Jackson Street in Montgomery. In 1937, she joined Dexter Avenue Baptist Church.

Her early education began at Alabama State Laboratory High School and Palmer Memorial Institute in Sedalia, North Carolina. She graduated from Booker T. Washington High School in Montgomery. She received a Bachelor of Science Degree in Education in 1956 and

Master of Education, AA certification, in 1973 from Alabama State University.

As an educator, she taught at North Highland School, Prattville Intermediate School and Autauga County Training School System. She later taught at Central Alabama OIC under the leadership of Mrs. Consuella Harper.

As an active member of Dexter Avenue King Memorial Baptist Church, she was a member of the Young Matrons under the pastorate of Rev. Martin Luther King, Jr., the sanctuary choir, The Red Circle, a Sunday School teacher, The April Club and Vacation Bible School for over 50 years.

She was involved in Les Voguettes and ISTAP (I Support the Athletic Program) at Alabama State University.

Mr. Speaker, please join me in honoring the life of Rebecca May Wood Stringer Holbert.

THE THREAT OF TERRORISM IS STILL VERY PRESENT

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. POE of Texas. Mr. Speaker, the long war on terrorism is not over. From North Africa to Southeast Asia, radical jihadism fights on from the shadows, waiting for us to grow complacent once again. We have claimed victory and lowered our guard too many times before only to have terrorist groups grow resurgent and deadly again. The scourge of violent Islamism is a multigeneration challenge as the battle against communism was decades ago. While we have had many successes, the threat remains and must be confronted.

Looking at where extremism still lives today we see many familiar battlefields. In the Philippines, a ISIS affiliate was handed a major defeat last year at the city of Marawi. But remnants of this group live on, recruiting and scheming in the jungle. Only by denying them an opportunity to regroup and gain ground again can we prevent them from attracting new supporters and new momentum.

Moving to Pakistan, we still find a state that claims to be an American ally but allows terrorist leaders to operate freely in the open. For too long we have provided billions of dollars to the Pakistani government as they betrayed us. The Taliban, al-Qaeda, Lashkar-e-Taiba, and other violent groups continue to find safe haven in Pakistan. They have injected their violent ideology into mainstream Pakistani politics, causing minorities to be routinely persecuted through despotic blasphemy laws. Pakistan's partnership with terrorism has led to continued violence within its neighbors India and Afghanistan. If Pakistan had truly been our ally, the Taliban would never had a place to run to after our intervention in Afghanistan. Yet, more than 17 years later, the Taliban is resurgent, retaking Afghan districts that we had long ago secured through American blood and treasure. We must not abandon this fight, but instead find a solution that ensures that al-Qaeda is never able to return and that the Taliban lay down their weapons and respect Afghanistan's young democracy.

Nonetheless, Pakistan is not the only terrorist sponsoring state fueling instability in the region. Iran is also playing its part in arming and assisting terrorists fighting our forces in Afghanistan and across the Middle East. After signing the nuclear deal with the Obama administration, the Mullahs in Iran received billions of dollars in sanctions relief that was diverted directly to their legion of terrorist proxies. Now the Middle East is engulfed in chaos as Iran's militias march against our allies. Proxies like Hezbollah, Asa'ib Ahl al-Haq, Harakat Hezbollah al-Nujaba, Kataib Hezbollah, the Houthis, and others are operating with impunity, massacring thousands in Syria, Iraq, and Yemen. They have targeted Americans in Iraq and Syria and have plans to attack our friends in Israel. This gathering storm will lead to inevitable conflict if we do nothing.

Meanwhile ISIS has gone underground. While we have destroyed the socalled caliphate that inspired dozens of attacks in the U.S. and Europe, the deadly terror group has reverted to its insurgent roots. When President Obama foolishly withdrew our troops from Iraq in 2011, there were no more than 700 fighters remaining in ISIS's predecessor. The State Department even reduced the bounty for ISIS's eventual leader, Abu Bakr al-Baghdadi, believing the group was a shell of its former self. But those assumptions proved wrong. Without U.S. forces to stop their advance and local societies plagued with Iranian-backed sectarianism, ISIS rose from the ashes to dominate an area the size of Britain. ISIS still has thousands of fighters dispersed throughout Iraq and Syria. We must not repeat Obama's mistake. A committed strategy to ensure ISIS's enduring defeat is required moving forward. We must send a signal to friends and adversaries alike that America is not turning its back on the region again.

No ally knows the persistent struggle against terrorism more than Israel. Today, terrorists from Hamas, Hezbollah, Islamic Jihad, and ISIS in Sinai are seeking Israel's destruction. Just recently Israel discover attack tunnels crossing from Lebanon into its territory which Hezbollah had built for the sole purpose of causing murder and mayhem in the Jewish State. America continues to stand firmly with Israel, providing the needed aid to keep our shared enemies at bay. But as instability continues throughout the region, Iran and other extremists will plot and recruit to wage war on our Israeli friends. Our duty as allies requires us to be vigilant in addressing these emerging threats before they become major obstacles for peace.

Lastly, looking at North Africa and the Sahel new challenges have risen. Where there were once only about 100 al-Qaeda-linked terrorists, there is now a multitude of extremist networks with as many as 10,000 fighters. Groups like Boko Haram, al-Shabab, ISIS, and Ansar al-Sharia have sowed chaos in places like Nigeria, Libya, Tunisia, and Somalia, preventing poor nations from reaching their full potential. These fragile states need a steady ally to help build their capabilities and lead a joint campaign to seek out and destroy the transnational terrorist threat in the region. Rather than pour endless taxpayer dollars into development efforts that are undone by local extremists, we need to formulate a strategy that addresses the lasting security vacuum terrorists have exploited.

The violent ideology that has motived thousands to wage a life or death struggle against the United States and its allies is not gone. This ideology has long been present, but it was not until the September 11th attacks that we woke up to its lethal ability and reach. Since then we have learned that this cancerous radical belief is adaptive and will not be defeated in one decisive battle. This is a long war we have no choice but to fight. We must also adapt our thinking and find committed partners who we can stand with us in this global struggle.

And that's just the way it is.

HONORING CARLOS TORRES

HON. VICENTE GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. GONZALEZ of Texas. Mr. Speaker, I rise today to ask my fellow lawmakers: who is protecting those that protected this nation?

Carlos Torres, an Army veteran who served during the Vietnam War, passed away on Sunday, December 9, 2018, at the age of 64. However, Mr. Torres did not leave this Earth in the home he served. Instead, he left us having been isolated by a country that failed to provide him his due citizenship after military service.

Mr. Torres, an immigrant from Mexico, joined the U.S. Army with the promise and hope of becoming an American citizen following his service. However, once he completed his service, he was denied, he was ignored, and he was left unprotected by a system that abandoned so many others. Distraught by this lack of care and naturalization progress, Mr. Torres—like so many others—turned to other means of catharsis.

He was caught with marijuana. He was charged. He was deported. He was sent back to Mexico, making less than a dollar a day. Without VA benefits. Without his family. Without hope.

On Thursday, December 13, 2018, he returned to the United States, but this time, he returned in death.

Mr. Speaker, Members of Congress, my fellow Americans, we failed Carlos Torres and so many like him. We cannot continue to desert these American patriots. The time for retribution is now.

Last year, I introduced H.R. 3429, the Repatriate Our Patriots Act, a bill that would create a pathway to citizenship for deported veterans who held a clean record prior to service. Time is running out. The lives of these men and women depend on our immediate actions. We must pass this bill. We must make amends. We must do so now for the thousands of deported veterans, for their families, for Carlos Torres.

COMMENDING MARIA LOURDES BENITEZ

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Maria Lourdes Benitez for her service to my office and the 21st Congressional District of California over the past year.

Maria Benitez was born on November 23, 1966 in Los Angeles and was raised in Escondido, California. After graduating from Orange

Glen High School, Maria received her Bachelor's Degree in Public Administration, with an emphasis in Criminal Justice, from National University in San Diego, California.

Maria met her future husband, Mr. Roman Benitez, while attending National University. They married soon after her graduation. At the time, Roman was an officer in the United States Navy. Because of his military service, they have been able to live in a variety of places including San Diego, Monterrey, and Japan.

Mrs. Benitez and her husband moved to Lemoore, California in 2007 with both taking positions at Lemoore Naval Air Station. Maria was hired as a Human Resource Assistant, eventually becoming a Work and Family Life Consultant. In this role, she aided military families through transitions, career searches, professional development, and financial counseling. Mrs. Benitez is also a small business owner, running an esthetician business in Hanford, California.

Maria became a member of my Congressional Team this year, serving as Staff Assistant in my Hanford, California Office. She quickly proved herself to be an invaluable asset, overseeing the daily operations of my district office. This included the production of tens of thousands of congressional certificates and management of the internship program. Maria also presented awards on my behalf at events in Kings County, representing the team's values with poise and professionalism. She was known for her ability to provide the highest level of service to my constituents, aiding hundreds of people with their various concerns.

Maria was also instrumental in the planning and implementation of the 21st Congressional District's 2018 Military Academy Nominations. With responsibilities ranging from informational events to potential nominee interviews, Maria proved herself to be a strong communicator to high school students and educators. She generated high interest throughout the community and aided multiple students with nominations to the academies. Her effectiveness in constituent service combined with her powerful ability to connect with people made Maria an invaluable member of my team and a true public servant to the people of California's Central Valley.

Outside work, Maria enjoys spending quality time with her husband. They remain active in local community organizations and are known as active volunteers. They also enjoy traveling. Their favorite trips are visits with their two beloved children, Alexandra and Roman Jr.

This January, Mrs. Benitez will be moving onto new ventures. Knowing Maria, her character and work ethic, I have no doubt she will continue to achieve many great things. Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Maria Lourdes Benitez for her public service to the people of the Central Valley and wishing her the very best in this next chapter of her life.

TRIBUTE TO THE LIFE OF DUANE CHAPMAN

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. DESAULNIER. Mr. Speaker, I rise today to commemorate the life of Duane Chapman, a longtime resident of Richmond, CA. Duane was a dedicated volunteer for the Richmond Police Department and a passionate advocate for youth, the LGBTQ+ community, and our homeless population.

Duane began his career of service as a nurse and homeless outreach specialist for Contra Costa County. It was in this role that he formed a deep partnership with the Richmond Police Department and decided to volunteer his time working on crime prevention and raising community awareness of the realities of police work.

Duane demonstrated his passion for serving others through his leadership and participation in important community boards and programs. He served as Chair of both the Human Relations Commission and the Contra Costa County Mental Health Commission. Duane also participated in the Road to the Future Foster Care Youth Conference and the Richmond Police Activities League Scholarship Program.

In addition, Duane was a tireless advocate for the LGBTQ+ community. In 2014, he cofounded the Richmond Rainbow Pride, an organization that encouraged its members to advocate for the interest of their community and to promote their visibility in Richmond.

With his passing, Duane leaves behind a legacy as an ally for marginalized communities.

TRIBUTE TO GARY FRIEDMAN

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. MCCARTHY. Mr. Speaker, I rise today in recognition of Judge Gary T. Friedman. Judge Friedman retired this year following 35 years of judicial excellence on the Kern County Superior Court.

Born and raised in Bakersfield, California, Judge Friedman's future in law was foreshadowed by his keen interest in watching his father, an oilman, negotiate with attorneys for the family business. He found the idea of helping people to resolve disputes compelling, and committed himself to his studies at Garces Memorial High School and later Bakersfield College while concurrently working for both his father's oil company as well as shepherding on his family's farm. Upon completing his studies at Bakersfield College, Judge Friedman furthered his education at the University of California, Santa Barbara and later earned his law degree at the University of California, Berkeley. After passing the bar exam, he served as a deputy district attorney, worked in various civil law firms, and became the first federal magistrate judge in Kern County before serving on the Superior Court.

Over his career, Judge Friedman heard a number of cases, many of which stretched on for months. In fact, he bears the unique distinction of presiding over the longest gang trial in Kern County history. Other cases he heard encompassed the worst of humanity—criminal cases that inflicted incredible and lasting trauma to victims and their families. Yet through each trial he presided over, Judge Friedman made everyone in his courtroom feel comfortable in even the tensest of moments, using genuine kindness and a gentle sense of self-deprecating humor to keep litigants and witnesses at ease. Judge Friedman treated each person who entered his courtroom with all the dignity and respect owed to them in the court of law and was as tenacious as he was ethical in his dogged pursuit of the equal administration of law and justice. These qualities are all the hallmarks of a great judge, and perhaps even moreso, all the hallmarks of a great person.

There are not many judges like Judge Gary Friedman, and while it is the County's loss to see him leave his post on the Superior Court, it comforts me to know that he plans to transition to practicing civil law and will remain a fixture in the Kern County legal community. I have had the privilege of getting to know Gary and his wife, Gloria, over the years as members of Bakersfield Downtown Rotary, and I am looking forward to many more spirited conversations about his days, as he puts it, ''toiling in the vineyards of justice'' for years to come. As he embarks on this new adventure, I wish Judge Friedman all the best and thank him for his immense work in service to our community.

CONGRATULATING MITRE CORPORATION ON ITS 60TH ANNIVERSARY

HON. DONALD S. BEYER, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. BEYER. Mr. Speaker, I rise today to congratulate The MITRE Corporation on its 60th anniversary this year.

MITRE is a not-for-profit corporation whose mission is to solve problems for a safer world. The company operates seven federally-funded research and development centers, each of which is sponsored by one or more federal agencies. MITRE works in the public interest, free from commercial conflicts of interest. The company's roughly 8,700 employees are located at its two primary locations in McLean, Virginia and Bedford, Massachusetts, as well as at other sites across the country and overseas. MITRE's employees support their federal sponsors across a full spectrum of analysis, planning and concept development; research and development; engineering; and systems acquisition work. They focus on some of the most challenging technical problems facing our nation—work that requires intimate knowledge of their federal sponsors' operating landscapes, demands objective analysis, and often involves sensitive or proprietary government and industry data.

MITRE has made immense contributions to our nation's security and safety over the last 60 years. I congratulate its leadership and staff and wish them many more years of success.

HONORING JACQUELINE CHARLES

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. WILSON of Florida. Mr. Speaker, I rise today in honor of Jacqueline Charles, who reports on the Caribbean for the Miami Herald and is a recent recipient of Columbia University's prestigious Maria Moors Cabot Prize for outstanding coverage on the Americas. Maria Moors Cabot Prizes are the oldest international journalism awards and are presented to journalists in the Western hemisphere who have made significant contributions to upholding freedom of the press in the Americas and Inter-American understanding.

''Charles' great contribution has been as a narrator of the agonies of Haiti, the hemisphere's poorest country, crippled by misgovernment and battered time and again by nature,'' the judges wrote in their citation.

Charles was born to a Haitian mother in Turks and Caicos and grew up in Miami's Overtown neighborhood. As a child, she frequently traveled to Haiti to visit her grandparents and other relatives. She began her reporting career as a 14-year old intern at the Miami Herald. As a journalism student at the University of North Carollna Chapel Hill, Charles co-founded the Carolina Association of Black Journalists.

Charles has worked as a journalist at the Miami Herald since 1994 and has covered the Caribbean for the Herald since 2006, with a special focus on Haiti. After the catastrophic earthquake in 2010, Charles was the first foreign reporter to reach Haiti. She remained in Haiti for the next 15 months to report on the reconstruction process and the ongoing struggles of those living in displaced persons camps. Her work on Haiti was a finalist for the Pulitzer Prize in 2011, the same year she was named the National Association of Black Journalists' ''Journalist of Year.'' Additionally, Charles co-produced a documentary on Haiti, titled Nou Bouke (We're Tired): Haiti's Past, Present and Future, which earned a regional Emmy Award and was broadcast nationally.

In addition to covering ongoing humanitarian challenges in Haiti, Charles writes about Haitian politics, music, and immigration. As restrictive immigration policies have prevented many Haitians from seeking a better life in the United States, Charles has taken her reporting on the Haitian immigrant experience to Mexico, Canada, and Chile. Her work has greatly added to everyday Americans' knowledge and understanding of Haiti and its people.

Haitian Americans form a vital part of our community in South Florida and we are fortunate to have an outstanding reporter like Charles covering Haiti-related issues at the Miami Herald. I wholeheartedly commend Jacqueline Charles for her outstanding journalism on Haiti and the Caribbean and congratulate her on receiving this honor.

HONORING WILLIAM ''BILL'' McBRIDE'S SERVICE TO THE STATE OF MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. UPTON. Mr. Speaker, today I rise on behalf of the Michigan Congressional Delegation—Reps. DEBBIE DINGELL, TIM WALBERG, DAN KILDEE, BILL HUIZENGA, BRENDA LAWRENCE, JUSTIN AMASH, MIKE BISHOP, DAVE TROTT, PAUL MITCHELL, and JACK BERGMAN—to acknowledge and commend one of the finest public servants the Great State of Michigan has been blessed to have: Mr. William ''Bill'' McBride.

There has never been a better friend and advocate for Michiganders than Bill McBride.

Over the past 44 years of Bill's service he has earned immense respect for his integrity, sincerity, and civility. No matter which political party was in power, in any of the branches of government, our constant source of information and enlightenment was—and is still—Bill.

Bill's distinguished career includes serving as chief of staff to Michigan Delegation Members Carl Pursell and Vern Ehlers. He also served as deputy chief of staff for Governor John Engler and most recently director of Governor Snyder's federal office.

Bill is not just a beloved colleague and friend, he is a Michigan institution. ''Ask McBride'' has become a fond and common phrase for all of us. As loyal as the day is long, Bill has set the gold standard for public service.

Bill exudes kindness, a sense of humor, and a sense of fair play. Always.

They say home is where the heart is and Bill's has certainly always been Michigan. When any issue has arisen affecting our state, Bill has been in the thick of it. His hard work has had a positive impact that will ripple far beyond when he leaves public service. We are sure to confront many situations and challenges where we will dearly miss his sage counsel, wit, and wisdom. He will stay on speed dial for several of us on both sides of the aisle for years to come.

The Michigan Congressional Delegation stands today to wish Bill the very best of luck as he turns the page and moves on to write many more, which we are sure will be just as storied and successful.

God speed Bill, and I thank him from the bottom of our hearts.

HONORING THE 45TH PASTORAL ANNIVERSARY OF DALLAS A. WALKER, JR.

HON. BRENDA JONES

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. JONES of Michigan. Mr. Speaker, I rise today to honor the 45th Pastoral Anniversary of Dallas A. Walker, Jr., Minister of Detroit's Wyoming Avenue Church of Christ.

Born in Vernon, Alabama, Pastor Walker comes from a strong lineage of faith leaders. His grandfather was a pioneer minister in Northwest Alabama and his father served as a church elder at the Mayfield Church of Christ in Fayette, Alabama. His mother was a devout Christian that lived to see her two youngest sons fulfill a family legacy proclaiming the Gospel of Christ.

Pastor Walker graduated from Lamar County Training School, and went on to attend Southwestern Christian College. He later earned a Bachelor's Degree in Psychology from the University of Detroit Mercy and a Master's Degree in Professional Counseling from Wayne State University in Detroit. Pastor Walker began his formal ministry at the Church of Christ in Athens, Alabama. He has also served two other Alabama congregations, the Woodland Park Church of Christ in Birmingham, Alabama and the Farris Drive Church of Christ in Huntsville, Alabama.

Pastor Walker and his wife of 54 years, Beverly MacDonald Walker (deceased), have three kids, Pamela Spear, Jennifer Leake, and Dallas A. Walker, III.

Widely known as a ''Preacher's Preacher'', he is an international evangelist, that has traveled firsthand to numerous biblical sites, among them the Mountain at Nebo, Bethlehem, the Sea of Galilee, Jericho, and the Garden of Gethsemane.

Pastor Walker is a stalwart spiritual compass in the city of Detroit. He can be seen all over the district sharing the scripture and hosting revivals. His dedication to the community was honored with secondary street naming of Wyoming and Chippewa Avenues. He also sits on the board of the Board of Directors of the National Association of Celebrated Seniors.

Mr. Speaker, I ask you and my colleagues to join me in applauding Pastor Dallas A. Walker, Jr. for his 45 years of service in ministry at the Wyoming Avenue Church of Christ.

RECOGNIZING THE WASHINGTON REGIONAL ALCOHOL PROGRAM LAW ENFORCEMENT AWARDS OF EXCELLENCE RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Washington Regional Alcohol Program (WRAP) and to congratulate the recipients of the 21st Annual Law Enforcement Awards of Excellence for Impaired Driving Prevention.

Founded in 1982, WRAP is an award-winning, public-private coalition formed to fight drunk driving, drugged driving, and underage drinking in the Washington, D.C., metropolitan region. Through educational and innovative public outreach programs, WRAP is credited with keeping local alcohol-related death rates consistently below the national average. Its programs educate students and the general public on the dangers of alcohol and drugs, particularly driving while under the influence. Through the WRAP Holiday SoberRide program, individuals who are impaired can request a free cab ride home. Since SoberRide was launched in 1991, 73,123 free cab rides have been provided in the Washington Metropolitan area, preventing potential accidents and deaths.

In 1982, the year that WRAP was founded, 26,173 people in the United States lost their

lives in alcohol-related car accidents, and 60 percent of all traffic fatalities involved drunk driving. Due to the tireless efforts of WRAP, other organizations such as MADD and SADD, local and state police, and enforcement of more stringent anti-drunk driving laws, considerable progress has been made in decreasing the number of alcohol-related traffic fatalities, especially here in the Washington Metropolitan Region. According to the Council of Governments, the number of alcohol-impaired fatalities, injuries, and crashes have all decreased since 2014. However, more work still remains as 28.04 percent of all traffic fatalities in the region in 2016 were alcohol or drug related.

Since 1997, WRAP has sponsored an annual Law Enforcement Awards Ceremony to honor local law enforcement professionals who have gone above and beyond the call of duty in the fight against drunk driving. It is my honor to include in the RECORD the names of the 2018 Law Enforcement Awards of Excellence for Impaired Driving Prevention recipients:

Officer Joseph Winkeler, City of Alexandria Police Department; Officer Michael Mitchell, Arlington County Police Department; Officer Bryce Cooper, City of Falls Church Police Department; Patrol Officer First Class Rashid S. Roberts, Fairfax County Police Department; Officer Jonathan Heavner, Town of Herndon Police Department; Deputy Gerald Presson, Loudoun County Sheriff's Office; Trooper First Class Anthony Wallace, Maryland State Police; Officer Zachary Speck, Metropolitan Police Department; Police Officer III John P. Romack, Montgomery County Department of Police; Police Officer First Class Thomas H. Kosakowski, Prince George's County Police Department; Officer Matthew Sciabica, Prince William County Police Department; Officer Seth A. Carll, United States Capitol Police; Traffic Safety Unit, United States Park Police; and Trooper Lucie Vajglova, Virginia State Police.

Mr. Speaker, I ask that my colleagues join me in congratulating the recipients of the Law Enforcement Awards of Excellence and in recognizing WRAP for its 36 years of public service. I commend the staff of WRAP under the leadership of President and CEO Kurt Erickson and Board Chairman Gary Cohen for their tireless dedication to eradicating underage drinking and drunk or drugged driving. Their efforts combined with the support of partner organizations and law enforcement agencies have saved lives and are deserving of our highest praise and gratitude.

HONORING LIEUTENANT COMMANDER EVAN A. KARLIK, USN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. COURTNEY. Mr. Speaker, I rise today to commend Lieutenant Commander Evan Karlik, United States Navy, on his final day serving as a legislative fellow in my Washington, DC office. Evan has played a critical role this year supporting my work on the House Armed Service Committee and representing the large Navy community in Eastern Connecticut.

As Ranking Member of the House Armed Services Subcommittee on Seapower and Projection Forces, I have the high honor of overseeing much of our nation's Navy. This year, as our subcommittee considered how best to fund important shipbuilding programs, reform Navy career paths, and review command and control of naval forces, Evan provided important insight and guidance into how our subcommittee could best provide the resources and platforms that our Sailors and Marines need to achieve mission success.

Evan has also seized the initiative in a variety of areas beyond naval affairs. He spurred a review required by this year's National Defense Authorization Act into how the Department of Defense reviews and awards imminent danger pay to servicemembers deployed to dangerous locations around the world. He has also served as the staff-lead for the Friends of Australia Caucus, of which I serve as co-chair, ensuring that the ties between our countries remain as strong as ever as we celebrated 100 Years of Mateship in 2018.

Evan is leaving Congress but he isn't going far. His next assignment will take him just across the river to support rolling out the Navy's fleet of F–35 fifth-generation fighter aircraft. On his final day here in Congress, I wish LCDR Karlik the best of luck in his new role, fair winds, and following seas.

COMMENDING DIXIE VALENTINE LOBMEYER

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Dixie Valentine Lobmeyer for her service to my office and the 21st Congressional District of California over the past four years.

Miss Lobmeyer was born on February 8, 1997 in Hanford, California. After graduating from Hanford West High School in 2015, Dixie received her Associates of Arts degree from College of the Sequoias this year. She plans to attend California State University, Fresno beginning in 2019, studying Communications and Media Relations.

Miss Lobmeyer has been a member of my Congressional Team since 2014, serving in multiple roles. After showcasing incredible talent and potential as an intern, Dixie was hired in 2015 as our Staff Assistant. Her responsibilities quickly grew as she proved to be an effective and successful staffer. Dixie managed the daily operations of my district office, overseeing the intern program and producing tens of thousands of congressional certificates for the community. She also acted as my representative at many events, effectively communicating the ideals of our office. It isn't a hyperbole to say Miss Lobmeyer had a role in every aspect of district office operations. She is a hard, dedicated worker who was highly respected by her peers and was able to create and foster connections with constituents, business leaders, and public officials.

In 2017, Dixie transitioned to a campaign-centered role with my team. She became the Republican Party's Congressional Field Director for the California's Twenty First Congressional Race, managing the Kings County Victory program. Dixie recruited, hired, and supervised hundreds of interns and organized voter contact initiatives. She continued to demonstrate leadership and served as an effective communicator. With her many successes and responsibilities, it is often forgotten that Dixie is younger than most of her peers. She is only in her early twenties but commands the respect of veteran political operatives.

Outside of work and school, Dixie enjoys volunteering in her community. Public service is her passion and she strives to give back to the city that has given so much to her. Dixie's family is also very important to her and she loves spending time with her brothers and sisters. For fun, she likes to go hiking with her friends and enjoy the natural beauty of California.

This January, Miss Lobmeyer will be moving onto new ventures. Knowing Dixie, her work-ethic and talent, I have no doubt she will achieve many great things in her future. She is a natural leader who will inspire people for years to come.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Dixie Valentine Lobmeyer for her public service to the people of the Central Valley and wishing her the very best in this next chapter of her life.

PERSONAL EXPLANATION

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. DELANEY. Mr. Speaker, I was unable to cast my vote on roll call No. 443 through No. 445.

Had I been present to vote on roll call No. 443, I would have voted aye; had I been present to vote on roll call No. 444, I would have voted aye; and had I been present to vote on roll call No. 445, I would have voted aye.

HONORING DR. HOWARD SIMON

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize a true Florida civil rights icon, Dr. Howard Simon. Dr. Simon has served as executive director of the Florida branch of the American Civil Liberties Union since 1977. Before his appointment to his current position, Dr. Simon oversaw the ACLU's Michigan branch. Remarkably, his 44 cumulative years of service as a state director is the longest in the ACLU's 98-year history. In this capacity, he has been an outspoken champion for marginalized communities.

During Dr. Simon's tenure, the regional ACLU affiliate has taken on many major cases to defend Floridians' civil liberties. It successfully fought to end the use of paperless electronic voting systems after problems were exposed during a 2006 congressional election. This led to the optimization and standardization of voting across every county in the state.

Under Dr. Simon's leadership, the organization has also filed several lawsuits to halt dangerous initiatives passed by the state legislature. One suit successfully blocked a law requiring all applicants for Temporary Assistance for Needy Families to submit to baseless drugs tests. As the representative of one of the most disadvantaged districts in the country, I am deeply concerned by attacks on public benefits programs on which many of my constituents heavily rely.

In addition to overseeing the ACLU's legal, public education, legislative lobbying, and membership and fundraising programs, Dr. Simon frequently pens editorials for regional publications, challenging policies that undermine Floridians' constitutional freedoms.

I am grateful to Dr. Simon for his work defending Floridians' civil liberties. Unfortunately, it is often the most disadvantaged who are targeted by policies that threaten their rights or otherwise lack the necessary resources to defend themselves.

Mr. Speaker, it is my honor to recognize Dr. Howard Simon and congratulate him on a remarkable career. Dr. Simon recently announced plans to retire after leading the Florida ACLU affiliate for 21 years. I wish him all the best and thank him for his exemplary service to my home state.

HONORING THE 40TH ANNIVERSARY OF THE SISTER CITY RELATIONSHIP BETWEEN TAIPEI AND PHOENIX

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. GOSAR. Mr. Speaker, today I would like to recognize the 40th anniversary of the sister city relationship between Phoenix, Arizona and Taipei, Taiwan. Additionally, I would like to congratulate Taipei Mayor Ko Wen-Je on his successful reelection.

For the past 40 years, Taipei and Phoenix have shared a commitment with the goal of promoting cross cultural understanding along with municipal and technical cooperation and business opportunities. This bond has enabled people-to-people relationships between the residents of Phoenix and Taipei. The program has also offered opportunities to our youth who want to broaden their knowledge of different cultures. Taipei's Mayor Ko Wen-Je has been a strong advocate of the program and I commend him for his continual support.

I would like to take the time to show my appreciation to the Sister City Program for its positive impact on Arizona's economy. The program has helped to form international understanding and goodwill between our two nations. I look forward to continued dedication between these great cities. It is my honor to wish these two cities a happy 40th anniversary and congratulate Kon Wen-Je on his victory.

RECOGNIZING THE 2018 STARS OVER DULLES AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Dulles Regional Chamber of Commerce for its ongoing dedication to local businesses and our community and to congratulate the 2018 ''Stars Over Dulles'' Award recipients.

This year, at the 23rd Annual Stars Over Dulles Awards Luncheon, the Chamber will honor those extraordinary businesses, nonprofit organizations, and citizens who have dedicated their talents and activities to enhancing our economy and our community.

As the former Chairman of the Fairfax County Board of Supervisors, and now as a Member of Congress representing this community, I have been proud to partner with the Chamber on promoting the region's pro-business climate and celebrating the service that so many individuals and businesses provide to our community.

It is my honor to include in the RECORD the following recipients of the 2018 Stars Over Dulles Awards:

Arts Community Leader: Evan Hoffmann, NextStop Theatre Company; Distinguished Veteran: Ono Brewing Company; Financial Leader: Northwest Federal Credit Union; First Responder: Chief Maggie DeBoard, Herndon Police Department; Health & Wellness Leader: Meg Donnelly, Meg Donnelly, LMT; Hospitality & Tourism Leader: Westin Washington Dulles; Minority Business Leader: Mike Williams, The Growth Coach; Non-Profit Leader: Chuck Birdie, Loudoun Free Clinic; Real Estate & Development Leader: Tammy Meyer, Stonebridge Title, LLC; Small Business Leader: David Hillelsohn, DHill Financial; Technology Leader: Madhu Garlanka, Allwyn Corporation; Transportation Leader: Doug Pickford, Dulles Area Transportation Association; Workforce & Education Leader: Dr. Anthony Copeland, Westfield High School; Young Professional: Young Kim, McLean Insurance Agency, Inc.; and Eileen D Curtis Lifetime Achievement Award: Dr. Gerald L. Gordon, Ph.D.

Mr. Speaker, I ask my colleagues to join me in congratulating the 2018 Stars Over Dulles Award recipients and in thanking these businesses and individuals for their many contributions to our region's economic success and quality of life. Their efforts are among the many reasons why Northern Virginia remains one of the best places in the country in which to live, work, raise a family, and start a business. I congratulate the honorees on receiving these awards and wish them continued success.

RECOGNIZING MR. ANTONIO GONZALEZ

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CASTRO of Texas. Mr. Speaker, I rise today to recognize Mr. Antonio Gonzalez, who passed away on November 11, 2018. Mr. Gonzalez hailed from my hometown of San Antonio, and shared his life with his wife of 26 years, Alma Martinez, and their two daughters Ysabel and Sara. He will be greatly missed.

Mr. Gonzalez was born in Norwalk, California on December 17, 1956, and put great emphasis on his education. Mr. Gonzalez completed undergraduate coursework at the University of California San Diego from 1975 to 1977, completed graduate coursework in Latin American History at the University of California Berkeley from 1981 to 1982, and graduated from the University of Texas at San Antonio where her studied American history.

Mr. Gonzalez has been a longstanding advocate for the underrepresented and the less fortunate.

Throughout his career, he was a champion of voter and minority rights, building relationships with Latino communities throughout Mexico, Venezuela, Cuba, El Salvador, and Haiti.

In 1994, Mr. Gonzalez also assumed the presidency of the William C. Velasquez Institute (WCVI), a nonpartisan national Latino public policy and research nonprofit organization, and the Southwest Voter Registration Education Project (SVREP), the oldest nonpartisan Latino voter participation organization in the U.S. During his tenure, Mr. Gonzalez conducted extensive survey research on Latino voter behavior, Latino voter mobilization, and helped triple Latino voter registration from 5.4 million in 1994 to 15.3 million in 2016. With the help of WCVI, Mr. Gonzalez founded the National Latino Congreso in 2006 where thousands of Latino Organizations meet annually.

Mr. Gonzalez was also a fierce advocate for equal representation under the law. Mr. Gonzalez led SVREP in protecting Latino voting against suppressive ''Voter ID'' laws in Texas and Arizona. From 2015 to 2017, Mr. Gonzalez led a successful campaign which resulted in more than 50 California school boards and cities to replace their outdated election systems with ''single member'' district election systems.

From 2004 to 2016, Mr. Gonzalez hosted a weekly radio show on Pacifica's KPFK in Los Angeles called ''Strategy Session with Antonio Gonzalez,'' and steered a nonpartisan coalition of 55 organizations during the Los Angeles City Mayoral election that resulted in the first Latino Mayor in America's 2nd largest city.

With the passing of Mr. Antonio Gonzalez, we have truly lost a pillar in the Latino community and a beacon of home in our nation. Mr. Gonzalez's legacy will leave a lasting impact for many years to come, and his lifelong dedication changed the lives of San Antonioans, Texans, and people around the world.

COMMENDING MRS. EILEEN GRACE MARTINHO

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Mrs. Eileen Grace Martinho for her service to my office and the 21st Congressional District of California.

Mrs. Martinho was born on December 12, 1994 in Escondido, California. Her father, Jacob De Raadt, purchased a Dairy Farm in 1999 in Lemoore, California and moved the family to California's San Joaquin Valley. Growing up in an agriculturally-rich environment left a lasting impact on Eileen, creating a deep passion for dairy and agriculture issues. After graduating from Central Valley Christian High School in 2013, Eileen received a Bachelor of Arts in Communications from Fresno Pacific University in 2017. While completing her degree, she was employed with Kings County Farm Bureau and Farm Academy Live, where she assisted in the implementation of events and taught agricultural issues to numerous students.

Eileen became a member of my Congressional Team in 2017, serving as our Fresno County Field Representative. She proved to be a strong asset across the Valley, creating meaningful connections with community leaders and representing my team with dedication and charisma. Local leaders consistently praised Eileen for her love for the Central Valley and advanced knowledge on agricultural issues. Eileen also managed the office intern program and served as a caseworker, helping numerous constituents with government-related issues. Her unique ability to communicate the values of our team combined with her strong work-ethic made Mrs. Martinho an invaluable member of my team and a true public servant to the people of California's Central Valley.

Outside of work, Eileen remains actively involved in a variety of community groups. She is a member of the Dairy Princess Committee, Kings Fair Foundation Board, California Women for Agriculture, and Kings County Dairy Women. Her consistent participation in community service groups reflects her genuine care for the community and desire to see it improved. While many speak about bettering their communities, Eileen takes the initiative and leads the way. She is a strong leader who will continue to advocate for her community for many years to come.

Mrs. Martinho recently married to the love of her life, Jonathon, earlier this year. She loves spending her free time with her husband and their friends, hosting dinners, and going on weekend trips. Her community is extremely important to her and she is known as a loyal and dependable friend. Eileen is also actively involved in her church, where she is known for her beautiful singing.

This January, Mrs. Martinho will be moving onto new ventures. Knowing Eileen, her passion and work-ethic, I have no doubt she will achieve many great things in her future.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Eileen Grace Martinho for her public service to the people of the Central Valley and wishing her the very best in this next chapter of her life.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. HUDSON. Mr. Speaker, I was unavoidably detained and missed a vote. Had I been present, I would have voted YEA on Roll Call No. 436.

HONORING AMINDA MARQUÉS GONZALEZ

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. WILSON of Florida. Mr. Speaker, I rise today in honor of Aminda Marqués Gonzalez, vice president and executive editor of the Miami Herald and el Nuevo Herald, and a highly respected member of Florida's media community.

On July 21, 2018, Marqués was recognized by the National Association of Hispanic Journalists and inducted into the NAHJ's Hall of Fame for her accomplished career and efforts to promote diversity in the newsroom.

Born in New York City to Cuban immigrants, Marqués has dedicated her entire career to journalism in South Florida. Marqués graduated from the University of Florida in 1986 with a bachelor's degree in journalism and began her career at the Miami Herald, where she had previously interned. After covering a range of issues and rising from metro reporter to assistant city editor, she joined People magazine in 2002 as Miami bureau chief. In that capacity, she oversaw People's coverage of the southeastern United States, the Caribbean, and Latin America.

Marqués returned to the Miami Herald in 2007 as an editor and was promoted to managing editor in 2010. Under her leadership, the Herald has earned national recognition for its outstanding reporting. The Herald won two Pulitzer Prizes in 2017, one for work of the editorial cartoonist Jim Morin and one for the paper's series on the Panama Papers. The Miami Herald also has been a finalist for the Pulitzer three times under Marqués' leadership, including for a 2012 investigation into the poor regulation of Florida's assisted-living facilities.

In addition to her post at the Miami Herald, Marqués is president of the Florida Society of News Editors and sits on the Pulitzer Prize Board. She also serves on the advisory councils for The Journalism and Women Symposium, and The Lillian Lodge Kopenhaver Center for the Advancement of Women in Communication at Florida International University.

Marqués has the distinction of being the Miami Herald's first-ever Hispanic and second female executive editor. Her colleagues credit her for recruiting reporters and editors of diverse backgrounds and for challenging the overall lack of diversity in journalism.

I commend Aminda Marqués Gonzalez for her trailblazing work in journalism, and I congratulate her on receiving the National Association of Hispanic Journalists Hall of Fame honor.

RECOGNIZING JEFF BELL

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize my friend, Jeff Bell, who will be retiring after working for more than 30 years at the Illinois Department of Transportation.

Throughout his tenure at IDOT, Jeff has served in a number of roles and has remained a valuable asset for the citizens of Illinois due to his dedication, hard work, and attention to detail. Most recently, as Bureau Chief for Federal Affairs, Jeff has been an excellent liaison between IDOT and the Illinois Congressional Delegation, helping our offices better serve our State's transportation infrastructure needs when federal policy is developed out here in Washington, D.C.

I have had the privilege of working with Jeff as both a member of Congress and also while serving as an aide to Congressman JOHN SHIMKUS, and Jeff has never been anything but an invaluable resource on transportation infrastructure legislation and projects. Jeff has staunchly advocated for federal initiatives that improve Illinois' infrastructure, and has helped maximize the federal resources our state has received.

It is my honor to congratulate Jeff on his retirement and thank him for his friendship and service to the State of Illinois.

RECOGNIZING THE RECIPIENTS OF THE 2018 NORTHERN VIRGINIA LEADERSHIP AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2018 recipients of the Northern Virginia Leadership Awards presented by Leadership Fairfax, Inc. (LFI)

LFI is a nonprofit corporation dedicated to finding, training, and growing leaders in Northern Virginia whose mission is to educate, prepare, inspire, and connect leaders to serve and strengthen our community. Graduates from its programs become part of a fast-growing network of civic leaders. I've always said, "When you walk into a crowded room, it's easy to spot the graduates of Leadership Fairfax—they just stand out!"

Each year, LFI recognizes individuals or organizations that have demonstrated exceptional leadership and that have made extraordinary contributions to our community. It is my honor to include in the RECORD the following names of the 2018 Northern Virginia Leadership Awards recipients:

The Regional Leadership Award is presented to Maggie Parker, VP, Comstock Companies, Inc. for her dedicated volunteer service and commitment to improve the quality of life of the area. She has served as Chair of Public Art Reston and has also brought her skills to other organizations in the region including Greater Reston Arts Center, ARTSFAIRFAX, Women's Center, Children's National Medical Center, and Cornerstones.

The Trustee Leadership Award is presented to Major Tyler Corey, Fairfax County Sheriffs Office. As the Division Commander for the Administrative Services Division, Major Corey not only mentors and trains new staff and collaborates with community partners on Sheriff's Office initiatives, but also finds time to commit to multiple volunteer projects, including Volunteer Fairfax and Meals on Wheels.

The Individual Leadership Award is presented to Kerrie Wilson, CEO, Cornerstones. Cornerstones serves tens of thousands of individuals, including over 4,000 families and over 6,000 children in Fairfax County. Kerrie has also served on the board of directors for the Meyer Foundation, Dulles Regional Chamber of Commerce, Virginia Housing Alliance, and Virginia Nonprofit Leadership Council. She is co-chair of the Fairfax County Affordable Housing Advisory Committee and served on the executive committee overseeing the design of the 10-Year Plan to Prevent and End Homelessness by 2018.

The Nonprofit Leadership Award is presented to HomeAid Northern Virginia (HANV) for its efforts to combat homelessness among vulnerable populations. HANV, in collaboration with its partners, has transformed an 8,900 sq. ft. house in Fairfax County into a beautifully renovated home that will provide housing for 10 formerly homeless female veterans and their children and also built a new 5,000 sq. ft. home on Youth for Tomorrow's campus to house girls between the ages of 11-17 who are experiencing homelessness, separated from their families, or survivors of sex trafficking.

The Corporate Leadership Award is presented to Custom Ink. Each year, Custom Ink hosts in-office bowling to support Northern Virginia Family Services (NVFS), raising over $2,000 in just four bowling sessions. Custom Ink has also partnered with Make-A-Wish Foundation to help support chapters in the local community by participating in Wish Reveals, donating thousands of shirts for Walk-for-Wishes events and volunteering at events. The Custom Ink Fairfax Team has volunteered over 1,700 hours in 30 events and fundraisers in 2018.

The Educational Leadership Award is presented to Dr. Mary Ann Panarelli who has worked to implement police referrals to Restorative Justice Intervention in an effort to reduce student arrests and court involvement. She has also coordinated with school and county staff to plan and host various community information and training sessions that have included mental health and wellness summits and community sessions on drug and alcohol prevention and intervention.

Mr. Speaker, the contributions of these individuals and organizations are one of the reasons why Fairfax is such a sought after community in which to live and work, and this year's honorees highlight the legacy of Leadership Fairfax, Inc. in preparing our community's future leaders to address the challenges we face. I ask my colleagues to join me in congratulating these honorees and thanking them for their service to Northern Virginia.

RECOGNIZING THE SERVICE OF ANGIE COFFEE

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. DESAULNIER. Mr. Speaker, I rise today to congratulate Angie Coffee as the East Bay Leadership Council's 2018 Lifetime Achievement Award recipient. She was given this honor in recognition of her dedication as a volunteer, community leader, mentor, and philanthropist.

Angie is a cancer survivor who shared her story of survivorship and strength, and who I was honored to have as a guest speaking at our Biden Cancer Summits. In addition to sharing her experience, she works to promote the well-being of our community, the health of our environment, the education of our children, and the technological innovations of our society. Her love for our community and for the arts is exemplified by her founding the Lesher Center for the Arts—a live theatre venue in our community.

Angie has chaired the Board of Special Olympics: Northern California, served as President of the Board of East Bay Leadership Council, and was a member of the De La Salle High School Board of Trustees, the Diablo Regional Arts Association, and the Walnut Creek Chamber of Commerce. Her recent volunteer efforts include the Contra Costa Family Justice Center and the John Muir Health Advisory Board.

I congratulate Angie for this well-deserved lifetime achievement award, and thank her for her work serving our community.

COMMENDING MR. JUSTIN MENDES

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. VALADAO. Mr. Speaker, I rise today to thank Mr. Justin Mendes for his service to my office and the 21st Congressional District of California over the past six years.

Mr. Mendes was born on September 17, 1986 in Fresno, California to Tom Mendes and Karen Carreiro. After attending Riverdale High School in Riverdale, California, Mr. Mendes went on to receive his Bachelor's Degree in Business Administration from the University of the Pacific in Stockton, California. Upon his graduation in 2008, Mr. Mendes worked in the banking industry, specifically in agricultural lending.

In 2010, Mr. Mendes began his career in public service with my office in Hanford, while I was then serving in the California State Assembly. Upon my election to the United States House of Representatives in 2012, he continued his service as my District Director. After a brief stint in the private sector, Mr. Mendes rejoined my Congressional Team again as District Director. His knowledge of the Twenty First Congressional District of California was immensely beneficial to my office and my constituents.

In March of 2014 , Mr. Mendes and his wife Melissa celebrated the birth of their first child, Alexander. They welcomed their second child, Dominic, in April of 2017. Their family currently resides in Hanford, California.

Mr. Mendes demonstrated his dedication to public service when he was elected Mayor of Hanford in December of 2015 and again in 2018, when he ran for California State Assembly. His service on Hanford's City Council concludes at the end of this year.

I am confident his love of politics and public service have benefited his community and I have no doubt he will continue being a leader for Hanford and Kings County.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Justin Mendes for his public service to the people of the Central Valley and wishing him well in this next chapter of his life.

PERSONAL EXPLANATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. OLSON. Mr. Speaker, I was unable to return to Washington from my district in Texas due to a family obligation on the evening of December 19.

Had I been present, I would have voted: yea on Roll Call No. 436; yea on Roll Call No. 437; yea on Roll Call No. 438; yea on Roll Call No. 439; and yea on Roll Call No. 440.

PERSONAL EXPLANATION

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mr. OLSON. Mr. Speaker, I was unable to return to Washington from my district in Texas due to a family obligation on the evening of December 19.

Had I been present, I would have voted: yea on Roll Call No. 441; yea on Roll Call No. 442; yea on Roll Call No. 443; yea on Roll Call No. 444; and yea on Roll Call No. 445.

HONORING THE 100TH BIRTHDAY OF TUSKEGEE AIRMAN FLETCHER WILLIAMS

HON. BRENDA JONES

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Ms. JONES of Michigan. Mr. Speaker, I rise today to honor the 100th birthday of Mr. Fletcher William.

Mr. Williams served as a Crew Chief (aircraft Mechanic) with a rank of Sergeant in the 100th Pursuit Squadron, the all black 332nd Fighter Group known as the Tuskegee Airmen.

Born on October 23, 1918, Mr. Williams' has made great contributions to our country through his military service. While serving, his groups mantra was ''Keep Em' Flyin.'' Today, he still exudes that same spirit with his presence in the Detroit community.

It is with great pleasure that I honor his life and legacy on his 100th Birthday. May he continue to live a life filled with joy and many blessings.

RECOGNIZING THE YWCA USA, INC.

HON. BRENDA L. LAWRENCE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 20, 2018

Mrs. LAWRENCE. Mr. Speaker, today I recognize the YWCA USA on the occasion of its 160th anniversary.

The YWCA is one of the oldest and largest women's organizations in the United States. For nearly 160 years, the YWCA has worked diligently to empower women, eliminate racism, stand up for social justice, and strengthen communities. They perform valuable work across America, with over 200 local associations. The YWCA provides over 500,000 women with safety services, including sexual assault survivor support programs and economic empowerment programs, which serve more than 260,000 women and children. This essential work creates lasting change in peoples' lives.

In addition to providing support for women and children across the nation, the YWCA works to advance racial and gender justice. I applaud the YWCA's great work to empower women and girls of color, including in my district through the YWCA of Metropolitan Detroit. Women are our country's greatest change agents, and the YWCA helps ensure that women will always have a seat at the table for years to come. On this momentous occasion, I want to congratulate the visionary founders and associates of the YWCA, and all the leaders of the YWCA for their necessary work. I look forward to their continued growth and to seeing the phenomenal work the YWCA will do for future generations.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7957–S8003

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 3800–3803, and S. Res. 739–740. **Page S7989**

Measures Reported:

Report to accompany S. 3561, to support entrepreneurs serving in the National Guard and Reserve. (S. Rept. No. 115–448)

Report to accompany S. 1995, to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States. (S. Rept. No. 115–449)

Report to accompany S. 1961, to amend the Small Business Act to temporarily reauthorize certain pilot programs under the Small Business Innovation Research Program and the Small Business Technology Transfer Program. (S. Rept. No. 115–450)

Report to accompany S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans. (S. Rept. No. 115–451)

Report to accompany S. 526, to amend the Small Business Act to provide for expanded participation in the microloan program. (S. Rept. No. 115–452)

Report to accompany S. 3554, to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans. (S. Rept. No. 115–453) **Page S7989**

Measures Passed:

Nuclear Energy Innovation and Modernization Act: Senate passed S. 512, to modernize the regulation of nuclear energy, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto: **Pages S7957–62**

Sullivan (for Barrasso) Amendment No. 4175, in the nature of a substitute. **Page S7962**

Re-refining Used Lubricating Oil: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 1733, to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil, and the bill was then passed. **Page S7962**

Orrin G. Hatch United States Courthouse: Senate passed S. 3800, to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''Orrin G. Hatch United States Courthouse''. **Page S7962**

Space Frontier Act: Senate passed S. 3277, to reduce regulatory burdens and streamline processes related to commercial space activities, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto: **Pages S7966–70**

Cruz Amendment No. 4176, in the nature of a substitute. **Page S7970**

Global Health Innovation Act: Senate passed H.R. 1660, to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency. **Page S8002**

9/11 Memorial Act: Senate passed H.R. 6287, to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001, after agreeing to the following amendment proposed thereto: **Page S8002**

McConnell (for Booker) Amendment No. 4177, to modify the definition of the term ''covered memorial''. **Page S8002**

National FFA Organization's Federal Charter Amendments Act: Committee on the Judiciary was discharged from further consideration of S. 2432, to amend the charter of the Future Farmers of America, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S8002**

McConnell (for Young) Amendment No. 4178, in the nature of a substitute. **Page S8002**

John Hervey Wheeler United States Courthouse: Committee on Environment and Public Works was discharged from further consideration of H.R. 3460, to designate the United States courthouse located at

323 East Chapel Hill Street in Durham, North Carolina, as the ''John Hervey Wheeler United States Courthouse'', and the bill was then passed. Page S8002

Congratulating the Maryland Terrapins Men's Soccer Team: Senate agreed to S. Res. 739, congratulating the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship. Page S8002

Community Health and Clean Transit Act—Referral: A unanimous-consent agreement was reached providing that S. 3720, to authorize the Secretary of Transportation to provide loans for the acquisition of electric buses and related infrastructure, be discharged from the Committee on Commerce, Science, and Transportation and referred to the Committee on Banking, Housing, and Urban Affairs. Page S8002

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader and Senator Young be authorized to sign duly enrolled bills or joint resolutions on Thursday, December 20, 2018 and Friday, December 21, 2018. Page S8002

Messages from the House: Pages S7986–88

Enrolled Bills Presented: Page S7988

Executive Communications: Pages S7988–89

Additional Cosponsors: Pages S7989–90

Statements on Introduced Bills/Resolutions: Pages S7990–91

Additional Statements: Pages S7985–86

Amendments Submitted: Pages S7991–S8002

Adjournment: Senate convened at 11:30 a.m. and adjourned at 6:14 p.m., until 12 noon on Friday, December 21, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S8002–03.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 7356–7387; and 3 resolutions, H. Con. Res. 146–147; and H. Res. 1184, were introduced. Pages H10509–11

Additional Cosponsors: Page H10512

Reports Filed: Reports were filed today as follows:

H.R. 2425, to support the establishment and improvement of communications sites on or adjacent to Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture through the retention and use of rental fees associated with such sites, and for other purposes, with an amendment (H. Rept. 115–1086, Part 1);

H.R. 3535, to restore Federal recognition to the Ruffey Rancheria of California, and for other purposes, with an amendment (H. Rept. 115–1087);

H.R. 6510, to establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes, with an amendment (H. Rept. 115–1088, Part 1);

H.R. 6255, to amend title 18, United States Code, to establish measures to combat invasive lionfish, and for other purposes (H. Rept. 115–1089, Part 1);

H. Res. 1183, providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes (H. Rept. 115–1090);

H.R. 502, to permanently reauthorize the Land and Water Conservation Fund, with an amendment (H. Rept. 115–1091);

H.R. 6939, to protect and ensure multiple use and public access to public lands in Wyoming per the request of the respective counties, and for other purposes (H. Rept. 115–1092); and Committee on

Ethics. In the Matter of Allegations Relating to Representative Elizabeth Esty (H. Rept. 115–1093). **Page H10509**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H10339, H10346**

Recess: The House recessed at 9:52 a.m. and reconvened at 10:15 a.m. **Page H10344**

Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules—Rule for Consideration: The House agreed to H. Res. 1181, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules, by a yea-and-nay vote of 350 yeas to 30 nays, Roll No. 447, after the previous question was ordered without objection.

Pages H10343–44, H10345–46

Suspensions: The House agreed to suspend the rules and pass the following measures:

Save Our Seas Act: Concur in the Senate amendment to the House amendment to S. 756, to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, by a ⅔ yea-and-nay vote of 358 yeas to 36 nays, Roll No. 448; **Pages H10346–66, H10430–31**

Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2018: H.R. 7328, to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, by a ⅔ yea-and-nay vote of 367 yeas to 9 nays, Roll No. 449;

Pages H10366–93, H10431

Ashanti Alert Act of 2018: Concur in the Senate amendment to H.R. 5075, to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, by a ⅔ yea-and-nay vote of 386 yeas to 2 nays, Roll No. 450; **Pages H10393–95, H10431–32**

Clean Up the Code Act of 2018: H.R. 7093, to eliminate unused sections of the United States Code, by a ⅔ yea-and-nay vote of 386 yeas to 5 nays, Roll No. 451; **Pages H10395–96, H10432–33**

Justice Against Corruption on K Street Act of 2018: S. 2896, to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering, by a ⅔ yea-and-nay vote of 391 yeas with none voting "nay", Roll No. 452;

Pages H10396, H10433

Victims of Child Abuse Act Reauthorization Act of 2018: S. 2961, to reauthorize subtitle A of the Victims of Child Abuse Act of 1990, by a ⅔ yea-and-nay vote of 388 yeas to 2 nays, Roll No. 453;

Pages H10396–H10401, H10433–34

Veterans Small Business Enhancement Act of 2018: S. 2679, to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, by a ⅔ yea-and-nay vote of 389 yeas to 1 nay, Roll No. 454;

Pages H10401–02, H10434–35

Taxpayer First Act of 2018: H.R. 7227, amended, to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, by a ⅔ yea-and-nay vote of 378 yeas to 11 nays, Roll No. 455; **Pages H10402–14, H10435**

Vehicular Terrorism Prevention Act of 2018: Concur in the Senate amendments to H.R. 4227, to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, by a ⅔ yea-and-nay vote of 388 yeas to 2 nays, Roll No. 456; **Pages H10414–15, H10435–36**

Stephen Michael Gleason Congressional Gold Medal Act: S. 2652, to award a Congressional Gold Medal to Stephen Michael Gleason, by a ⅔ yea-and-nay vote of 390 yeas to 2 nays, Roll No. 457;

Pages H10415–16, H10436–37

RBIC Advisers Relief Act of 2018: S. 2765, to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, by a ⅔ yea-and-nay vote of 389 yeas with none voting "nay", Roll No. 458; **Pages H10416–17, H10437**

Innovations in Mentoring, Training, and Apprenticeships Act: Concur in the Senate amendment to H.R. 5509, to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, by a ⅔ yea-and-nay vote of 378 yeas to 13 nays, Roll No. 459; **Pages H10417–19, H10437–38**

NASA Enhanced Use Leasing Extension Act of 2018: S. 7, to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration, by a ⅔ yea-and-nay vote of 390 yeas with none voting "nay", Roll No. 460; **Pages H10419–20, H10438–39**

National Integrated Drought Information System Reauthorization Act of 2018: S. 2200, to reauthorize the National Integrated Drought Information System, by a ⅔ yea-and-nay vote of 379 yeas to 9 nays, Roll No. 461; **Pages H10420–24, H10439**

Stop, Observe, Ask, and Respond to Health and Wellness Act: Concur in the Senate amendment to H.R. 767, to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system, by a ⅔ yea-and-nay vote of 386 yeas to 6 nays, Roll No. 462; **Pages H10424–25, H10439–40**

VA Website Accessibility Act of 2018: H.R. 6418, amended, to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, by a ⅔ yea-and-nay vote of 387 yeas with none voting ''nay'', Roll No. 464; **Pages H10427–28, H10441**

Designating the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the ''Douglas Fournet Department of Veterans Affairs Clinic'': S. 3444, to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the ''Douglas Fournet Department of Veterans Affairs Clinic'', by a ⅔ yea-and-nay vote of 388 yeas with none voting ''nay'', Roll No. 465; and **Pages H10428, H10441–42**

Forever GI Bill Housing Payment Fulfillment Act of 2018: S. 3777, to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017, by a ⅔ yea-and-nay vote of 389 yeas with none voting ''nay'', Roll No. 466.

Pages H10428–30, H10442–43

Order of Business: Agreed by unanimous consent that, during further proceedings today in the House, the Chair be authorized to reduce to two minutes the minimum time for electronic voting on any question that otherwise could be subjected to five minute voting under clause 8 or 9 of rule XX.

Page H10424

Suspensions: The House failed to agree to suspend the rules and pass the following measure:

Codifying Useful Regulatory Definitions Act: S. 2322, to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese, by a ⅔ yea-and-nay vote of 230 yeas to 162 nays, Roll No. 463. **Pages H10425–27, H10440–41**

Question of Privilege: Representative Pelosi rose to a question of the privileges of the House and submitted a privileged resolution. The Chair ruled that the resolution did not present a question of the privileges of the House. Subsequently, Representative Pelosi appealed the ruling of the chair and Representative McCarthy moved to table the appeal. Agreed to the motion to table the appeal of the ruling of the Chair by a recorded vote of 187 ayes to 170 noes, Roll No. 467. **Pages H10443–45, H10444**

Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act: The House concurred in the Senate amendment to H.R. 88, to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, with an amendment consisting of the text of Rules Committee Print 115–87, by a yea-and-nay vote of 220 yeas to 183 nays, Roll No. 470. **Pages H10445–77, H10483–84**

H. Res. 1180, the rule providing for consideration of the Senate amendment to the bill (H.R. 88) was agreed to by a yea-and-nay vote of 207 yeas to 170 nays, Roll No. 446, after the previous question was ordered without objection. **Pages H10340–43, H10344–45**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures. Consideration began Wednesday, December 19th.

Stigler Act Amendments: Concur in the Senate amendments to H.R. 2606, to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, by a ⅔ recorded vote of 399 ayes with none voting ''no'', Roll No. 471; and **Pages H1048–85**

Reauthorizing the New Jersey Coastal Heritage Trail Route: H.R. 6602, to reauthorize the New Jersey Coastal Heritage Trail Route, by a ⅔ recorded vote of 382 ayes to 9 noes, Roll No. 472.

Page H10500

Further Additional Continuing Appropriations Act, 2019: The House concurred in the Senate amendment to the House amendment to the Senate amendment to H.R. 695, to amend the National Child Protection Act of 1993 to establish a national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, with an amendment consisting of the text of Rules

Committee Print 115–88, by a yea-and-nay vote of 217 yeas to 185 nays, Roll No. 472.

Pages H10485–H10500

H. Res. 1183, the rule providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 695) was agreed to by a recorded vote of 221 ayes to 179 noes, Roll No. 469, after the previous question was ordered by a yea-and-nay vote of 223 yeas to 178 nays, Roll No. 468. **Pages H10477–83**

Senate Referrals: S. 3456 was held at the desk. S. 3523 was held at the desk. S. 79 was held at the desk. S. 512 was held at the desk. S. 1023 was held at the desk. S. 3611 was held at the desk. S. 3800 was held at the desk. S. 3277 was held at the desk.

Senate Messages: Messages received from the Senate and message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H10346, H10417, and H10477.

Quorum Calls Votes: Twenty-four yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H10344–45, H10345, H10430, H10431, H10431–32, H10432–33, H10433, H10433–34, H10434–35, H10435, H10435–36, H10436–37, H10437, H10437–38, H10438–39, H10439, H10440, H10441, H10442, H10442–43, H10444, H10482–83, H10483, H10484, H10484–85, H10499–H10500, and H10500. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:15 p.m.

Committee Meetings

THE PERIL OF AN IGNORED NATIONAL DEBT

Committee on Financial Services: Full Committee held a hearing entitled ''The Peril of an Ignored National Debt''. Testimony was heard from public witnesses.

OVERSIGHT OF THE DEPARTMENT OF HOMELAND SECURITY

Committee on the Judiciary: Full Committee held a hearing entitled ''Oversight of the Department of Homeland Security''. Testimony was heard from Kirstjen Nielsen, Secretary, Department of Homeland Security.

SENATE AMENDMENT TO THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2018

Committee on Rules: Full Committee concluded a hearing on Senate amendment to H.R. 695, the ''Committee on Appropriations Department of Defense Appropriations Act, 2018'' [Further Additional Continuing Appropriations Act, 2019]. The Committee granted, by record vote of 8–2, a rule providing for the consideration of the Senate amendment to H.R. 695. The rule makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to H.R. 695 with an amendment consisting of the text of Rules Committee Print 115–88. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

BUSINESS MEETING

Permanent Select Committee on Intelligence: Full Committee held a business meeting to consider transmission of Certain Executive Session Materials to the Executive Branch; transmission of Certain Executive Session Transcripts to the Office of the Director of National Intelligence for Appropriate Classification Review in Preparation for Public Disclosure related to the following matters: Classified Committee Briefing (December 5, 2016), Classified Committee Briefing (January 10, 2017), and Classified Committee Briefing (March 2, 2017); and pending the Classification Review by the Office of the Director of National Intelligence, public release of the following Certain Executive Session Transcripts to the Committee Repository: Classified Committee Briefing (December 5, 2016), Classified Committee Briefing (January 10, 2017), and Classified Committee Briefing (March 2, 2017). The motion to transmit Certain Executive Session Materials to the Executive Branch; the motion to transmit Certain Executive Session Transcripts to the Office of the Director of National Intelligence for Appropriate Classification Review in Preparation for Public Disclosure; and the motion that pending the Classification Review by the Office of the Director of National Intelligence, the Committee publicly release Certain Executive Session Witness Transcripts to the Committee Repository passed. This meeting was closed.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1293)*

H.R. 1872, to promote access for United States diplomats and other officials, journalists, and other

citizens to Tibetan areas of the People's Republic of China. Signed on December 19, 2018. (Public Law 115–330)

H.R. 2454, to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department. Signed on December 19, 2018. (Public Law 115–331)

H.R. 3996, to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court. Signed on December 19, 2018. (Public Law 115–332)

H.R. 4111, to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States. Signed on December 19, 2018. (Public Law 115–333)

COMMITTEE MEETINGS FOR FRIDAY, DECEMBER 21, 2018

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Financial Services: Full Committee, hearing entitled ''A Legislative Proposal to Provide for a Sustainable Housing Finance System: The Bipartisan Housing Finance Reform Act of 2018'', 9 a.m., 2128 Rayburn.

Next Meeting of the **SENATE**

12 noon, Friday, December 21

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Friday, December 21

House Chamber

Program for Friday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

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