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## Senate

The Senate met at 10:31 a.m. and was called to order by the Honorable ROY BLUNT, a Senator from the State of Missouri.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Father, may life's seasons teach us that You stand within the shadows keeping watch above Your own. We praise You that You are our refuge and strength, a very present help in turbulent times.

Lord, cultivate within our lawmakers the grace of gratitude as they seek to stand for right for the glory of Your Name. May they refrain from hasty speech, as they labor to treat others as they would have others treat them. Empower them to grow in Your grace and in a greater knowledge of Your will and wisdom.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, March 22, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROY BLUNT, a Senator

from the State of Missouri, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. BLUNT thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### OMNIBUS APPROPRIATIONS BILL

Mr. MCCONNELL. Mr. President, yesterday evening, the House filed a landmark appropriations bill for the remainder of fiscal year 2018. Months of in-depth, bicameral, bipartisan negotiations and committee work have led us to this point. The result is legislation that neither side sees as perfect but which contains a host of significant victories and important achievements on behalf of the American people.

First and foremost, in my view, this bill will mark the end of disproportionate and harmful cuts to the Department of Defense. It delivers the largest year-on-year increase in defense spending in 15 years. These new funding levels will ensure that the training and tools available to our servicemembers remain on the cutting edge, and at long last, veterans will receive more transparent and more accessible care. This has been a top priority, on our side of the aisle especially, to deliver for our men and women in uniform, to deliver for the future of national security. This bill will get it done.

Of course, our Armed Forces aren't the only vital priority this measure will address. It is a victory for families caught in the grip of the opioid epidemic. This bill scales up research, treatment, and prevention funding and provides for grants to first responders.

It will confront the scourge of addiction head-on and help save lives. For rural communities, like many in my home State of Kentucky, this is a big deal.

The measure is also a victory for safe, reliable, 21st century infrastructure. It will fund long overdue improvements to roads, rails, airports, and inland waterways to ensure that our growing economy has the support system that it needs.

Importantly, the bill will also contain a number of provisions to provide more safety for American families. It expands funding for Federal law enforcement. It allocates new resources to border security and immigration enforcement, including an important step forward for President Trump's proposed wall. The total miles of new and upgraded walls and barriers funded by this bill exceeds even the administration's initial request for this fiscal year, and it also provides the necessary funds to keep Guantanamo Bay open and operating.

The legislation also delivers for students and teachers across our Nation, who deserve to learn and work without fear of violence.

At the insistence of the Speaker and me, this bill will include two important bipartisan, commonsense measures to address real issues facing the Nation: the Fix NICS bill and the STOP School Violence Act. Thanks to the leadership of Senator HATCH, this bill represents a major step forward for school safety. It provides millions of dollars in new funding for early intervention and prevention programs to stop school violence before it happens. These grants will include funding for training of students and school personnel for identifying and responding to safety threats, as well as for implementing enhanced technology and equipment to improve school safety. Thanks to the dogged efforts of Senator CORNYN, the Fix NICS

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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provision to repair and improve fire-arm background checks is also included. Both of these bipartisan accomplishments are the direct result of tireless work by those who have been most tragically affected by violence in America's schools.

Here is how Mark Barden, a co-founder of Sandy Hook Promise, described the school safety provision: "This legislation will save lives."

Likewise, the Parkland, FL, families recently wrote all four congressional leaders to ask that we include these two particular measures in this piece of legislation. I am proud that we could deliver for them and for the safety of schools around our country.

Let's take one more look at just a few of the good things this bill will accomplish: No. 1, the largest year-on-year funding increase for our warfighters in 15 years; new resources for the fight against opioids and for border security and the President's wall; major enhancements for law enforcement and school safety. These provisions and the entirety of this omnibus represent months of bipartisan work. I look forward to considering it very soon.

#### TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, the good news about tax reform continues to sweep across the Nation. But recently, as special bonuses, wage increases, and expanded employee benefits continue to make headlines, they have had to share the front page with a series of late winter storms. This prolonged cold weather can mean high heating costs for working families. Fortunately, tax reform has an answer for that as well.

Ratepayers in many States are looking forward to smaller utility bills, thanks to our country's new Tax Code. In my home State, the public service commission announced early this week that Kentucky Utilities and Louisville Gas & Electric will be passing along savings to customers to the tune of a 6-percent decrease in monthly bills. That means real savings for the middle-class families I represent.

We have heard a similar story from our neighbors in Indiana. The Northern Indiana Public Service Company reports that thanks to tax reform, it will be able to pass \$26 million in new savings on to its customers. That is just one of a long list of ways that tax reform is helping Hoosiers.

Pat Williams, who lives in Southern Indiana, recently shared another tax reform success story with my friend, Senator YOUNG. Pat's husband, Jim, works part-time in the U-Haul service center across the river in Louisville. He received a \$500 tax reform bonus.

Over in Converse, IN, tax reform enabled the First Farmers Bank & Trust to raise its starting wage for hourly workers, guarantee a year-end bonus for all full-time employees, and announce a big investment in employee

development and community programs.

My friend, the junior Senator from Indiana, knows the folks at First Farmers. In fact, he was so impressed by their proactive response to the new Tax Code that he invited them to the President's State of the Union back in January. There aren't enough seats in the House Gallery for all the American families that tax reform is already helping—not even close. But if there were, I would bet the working families and small businesses from Indiana would come with questions. Why did only one of their Senators vote for these tax savings? Why did their senior Senator vote in lockstep with Democrats to block their tax cuts, bonuses, raises, and benefits? Those would be tough questions to answer. Fortunately, Republicans stayed focused on empowering the American people.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. 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 majority leader.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 165, S. 1519.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 165, S. 1519, a bill to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senators be permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### TRIBUTE TO THAD COCHRAN

Mr. SCHUMER. Mr. President, I have a few items I would like to address this morning, but first I would like to recognize our dear friend from Mississippi, the senior Senator, who will be delivering his farewell speech today.

Senator THAD COCHRAN has served in this body for decades with a sense of

dignity, decorum, and respect for his colleagues. That was always appreciated but never confused for lack of fierceness or conviction. When his issues were on the line, Senator COCHRAN fought for Mississippi as hard as any Senator. After all, he was first bitten by the political bug in his run for head cheerleader at Ole Miss, and he shares that distinction with Trent Lott. So if you want to be a Senator for Mississippi, join the cheerleading squad for Ole Miss. Of course, for New Yorkers, we like Eli Manning too. Senator COCHRAN never stopped being a cheerleader for Mississippi.

Chairman COCHRAN and I certainly had our differences. The chairman once said:

I don't call a lot of news conferences. I just don't see that as a necessary part of my responsibilities.

Well, we will agree to disagree on that one, but there are many things we have in common, and there is a particular part of his legacy I admire.

After Hurricane Katrina buffeted his State, he convinced the recalcitrant lawmakers to deliver aid to the gulf coast—far exceeding the administration's request—and he did it by working Members on his side of the aisle and across the aisle behind the scenes. That is how he earned the nickname the "quiet persuader." It is a skill I greatly respect after going through something similar when Hurricane Sandy hit my home State of New York.

At the time, Chairman COCHRAN was the ranking member on the Appropriations Committee. He and his staff were extraordinarily helpful throughout the process. Ultimately, Senator COCHRAN voted for the Sandy relief bill when many of his colleagues opposed it. I will never forget that.

Under his stewardship of the Appropriations Committee, we have just completed the text of an omnibus spending bill, which I will address in a moment. Once the bill passes, it will be a fitting legacy that Senator COCHRAN will retire with another bipartisan accomplishment under his belt.

I wish him and his family the best, and I thank him for his distinguished service to the State of Mississippi, to his beloved country, and to the U.S. Senate. He will be missed in the Senate.

#### OMNIBUS APPROPRIATIONS BILL

Mr. President, I am pleased to say the four congressional leaders have reached an agreement on the omnibus spending bill that is now public. It didn't happen until last night. It took a long time. There were painstaking weeks of negotiations, more than a few of which we went past the midnight hour. Before I go further, I want to thank Leader MCCONNELL, Speaker RYAN, and their staffs, Leader PELOSI and her team, Chairman COCHRAN, Vice Chairman LEAHY, the Appropriations Committee staff, and many others for all the hard work that went into this bill.

It certainly doesn't have everything Democrats want, and it contains a few

things Democrats aren't thrilled about. The same is true of our Republican friends. That is true of all compromises. If each of us stood on our hind legs and said "If I don't get everything I want, I am voting no," we would be totally paralyzed, and that happens far too often in this body, but on this appropriations bill, this omnibus, somehow that didn't happen. There was a remarkable spirit of give-and-take in the room.

Overall, we Democrats are very happy with what we have been able to accomplish on a number of very important priorities to the middle class in America: infrastructure, education, opioid treatment, mental health, childcare. For nearly a decade, the middle class in this country has suffered from a needless and self-imposed austerity, limiting investment of all of the things that create good-paying jobs and improve the working conditions of Americans, improve the lives of Americans. This spending bill, this spending agreement, brings that era of austerity to an unceremonious end and represents one of the most significant investments in the middle class in decades.

So many of the middle class are frustrated, and they don't know why. Well, one of the reasons is quietly, but unfortunately and quite decisively, this Congress cut back on the very ladder that helps the middle class climb in education, in infrastructure, in healthcare. It was cut and cut and cut. The help that the Federal Government has given to the middle class since the progressive era of the early 1900s was taken away quietly but decisively. It is back. It is going to help middle-class people stay in the middle class. It is going to help those aspiring to the middle class climb that ladder and get there. It is really a good thing, and I am excited about it.

As the Republican leader mentioned, it robustly funds our military, giving our men and women in uniform the resources they need; it also improves our ability to respond to wildfires; it makes a critical downpayment on election security; it provides a reliable pathway for the essential infrastructure projects in our country; and it makes an incremental but important progress on the issue of gun violence—a debate this Congress must resume soon.

Again, that era of austerity, which so hurt middle-class Americans, is coming to an unceremonious end because this bill respects one of the most significant investments in the middle class in decades. For these reasons, I am confident this agreement will pass both Houses of Congress; hopefully, with comfortable margins; hopefully, in a bipartisan way.

Again, I thank the Republican leader for his part in reaching this agreement, and I look forward to passing this legislation as soon as possible.

#### CHINA AND PROTECTING AMERICAN INTELLECTUAL PROPERTY

Mr. President, now on a final issue, while we are talking about agreement and bipartisanship, I don't agree with President Trump on a whole lot, but today I want to give him a big pat on the back. He is doing the right thing when it comes to China.

For many of us, since Senator GRAHAM and I went and visited China over a decade ago, we have watched China rapaciously take advantage of America, American jobs, American workers, and America's intellectual property. China is ruthless in how they go after us. They do it quietly. They do it with a smile. Unfortunately, previous Presidents—Democratic and Republican—just stood by as China did what it did to us.

President Trump is exactly right when, this afternoon, he will propose a plan designed to punish China for its most flagrant trade abuses.

I have called for such action for years and have been disappointed by the inactions by both President Bush and President Obama. I am very pleased this administration is taking strong action to get a better deal on China because China has stolen and extorted the intellectual property of American companies for years without repercussion.

Our intellectual property is our family jewel. The American way of openness, of thinking, of debate has created the kind of place where great thinkers come, think of great ideas, and those ideas are often translated into millions of middle-class, good-paying jobs. China knows this, but China is not a free and open society. To achieve the kind of gains and advancements in technology, in biomedical science, and so many other things, they have to steal what we do sometimes by buying our companies, sometimes by cyber theft, sometimes by just these joint ventures, and they tell American firms: You can only come to China if you give away your intellectual property. China is taking huge advantage of us.

Intellectual property is the lifeblood of emerging industries and the good-paying jobs they provide. The American advantage of intellectual property is one of the main things that will keep us No. 1 economically in this century but not if we allow it to be stolen and taken advantage of, and the country that does that more than any other is China.

As I said, intellectual property is the lifeblood of emerging industries and the good-paying jobs they provide, so it is impossible to overstate the cost of IP theft to our economy and our workers. This sentence pains me, and I think about it often: GEN Keith Alexander, a four-star general, nonpolitical, was in charge of cyber security in America, and here is what he said: China's theft of our intellectual property is "the greatest transfer of wealth in history." We are letting them do it. The crown jewel of America, our free

and open society that allows great thinkers to create great ideas and products, they steal it, and we do nothing. It is one of the things that aggravates me more than most others. Finally, President Trump is doing something, unlike his predecessors, so I commend him.

The WTO—they have been grossly inadequate for this problem. We cannot continue to ignore flagrant cheating by China, whether WTO likes it or not. So the administration's announcement today is a leap forward. If this new push is going to be successful, we need our allies to work with us—Germany, Italy, France, Britain, open and free societies, unlike China. They know their stuff is being stolen too. Join with us. If we are a united, strong front against Chinese activities on intellectual property, we can force them to change their ways, but they will not do it by persuasion; they will not do it by smiling; and, frankly, they will not do it by diplomacy when some of our diplomats come in and say: We need China for this thing; ignore the economic theft; ignore the economic disadvantage. So I support what the President is doing.

When it came to the tariffs on steel and aluminum, I supported the thrust, I supported the President's instinct, but it wasn't focused enough on China and hurt too many of our other allies, like Canada, where we have a trade surplus. I hope the President corrects his thinking on that, but, here, this is aimed at China and one of the ways China hurts us the very most. It is smart. It is good. I salute our Trade Rep Lighthizer for pushing this issue; I salute our Commerce Secretary Ross for pushing this issue.

By the way, to help support the administration's efforts to crack down on China, we will fully fund the USTR's trade enforcement fund at \$15 million in the omnibus. So let's make sure China starts playing by the rules, and intellectual property is certainly at the top of the list. Today's announcement by the President will be a great start in that direction. Democrats, Republicans, Americans of every ideology and every region of the country should support these actions.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Tennessee.

#### OMNIBUS APPROPRIATIONS BILL

Mr. CORKER. Madam President, I rise today to speak about the omnibus bill that we are going to be voting on either later today or tomorrow.

I came to the Senate almost 12 years ago. I have 9 months left in my term. I told folks back home that I couldn't imagine serving more than two terms. Yet it has been an incredible privilege to be here. When I ran, I ran concerned about our Nation's fiscal issues, and I ran on the combination of pro-growth tax reform and entitlement reform and dealing with the tremendous deficits that our country has. I really thought we would do something about it.

We had the financial crisis that took place back in 2007, 2008, 2009—building in 2007 and occurred in 2008. We dealt with much of it over 2009. I remember talking to people around our country not just about the financial crisis but about the tremendous deficits that our Nation was creating. I was still hopeful in my first term that we would rise to the occasion and actually deal with the fiscal issues that are going to haunt these young people who are our pages sitting before me. We have \$21 trillion in debt today and over \$100 trillion in unfunded liabilities with our long-term programs, our mandatory spending programs. So during that period of time, near the end of my first term, I kept saying to people around the country: There is no question that the Senate and the House, with leadership from the executive branch, will deal with this fiscal issue.

I am convinced today that that is not going to happen until there is a crisis in our Nation. Let me say it one more time. Without extreme leadership at the very top, I do not think we will deal with this issue until there is a crisis, because I just don't see the will here to do the things that need to be done.

During December we had a debate on the pro-growth tax reform side of this, and I think it is well documented that I had concerns about it. As a matter of fact, when the bill came through the Senate, I voted against it. I continued to work with some of my counterparts on the Democratic side—CHRIS COONS and others—and the White House, to see if there was some way to potentially alter the bill so that if growth projections didn't achieve what we thought they might be, we had some way of ensuring that we would not have deficits. At the end of the day, when it came to the floor, I supported it—pro-growth tax reform, again, being one of those things that I ran on back in 2006.

What concerns me is that today, or maybe tomorrow, we have a 2,232-page omnibus bill before us that sets a base in spending that will be about \$2 trillion in deficit spending over the next 10 years. By the way, that doesn't include some of the supplemental items. I am talking about just the baseline in spending.

I think everyone knows that, like the Presiding Officer, I am a very strong supporter of our men and women in uniform. No doubt we all understand that the defense numbers in this bill are way beyond even what the executive branch asked for. Somehow, in these negotiations, we have ended up, over a 2-year period, with an average increase in base spending of about \$150 billion. When you multiply that times 10, that is \$1.5 trillion. We know there are going to be increases over that 10-year period. Then, if you look at the interest on the debt that it is going to create, we are voting on a bill tonight or tomorrow that is going to add—there is no question—a minimum of \$2

trillion in deficits over the next 10 years.

What was fascinating during the month of December, when we were dealing—let me stop for a second.

Let me just say this. There are a lot of discussions about the fact that maybe the Republican Party has lost its soul. There is a lot of discussion about that around the country—that maybe the Republican Party has lost its soul.

I will say that for the Republican Party to have the Presidency, for the Republican Party to have the Senate, and for the Republican Party to have the House of Representatives, and for us to be passing a bill today—obviously, it couldn't happen without us; we control the agenda here—for us to be in this situation where we are getting ready to pass a bill that adds \$2 trillion in deficits over the next 10 years, or sets the stage for that by passing the first 2 years with a huge increase in base spending with no offsets to speak of, does have to be a wake-up call for people as for whether that is the case.

I can't imagine, for instance, had the 2016 election gone a different way and we had a Democratic President and we controlled the House and Senate, our being in a situation where we would vote tonight or tomorrow for a bill that is going to add \$2 trillion in debt without offsets. As a matter of fact, I can just tell my colleagues, absolutely, that would not be the case.

So here we are. There are going to be all kinds of things in this bill that people don't even know about. It is just human nature. When you have the pen in your hand and you are working in a back room some place—and I don't criticize back rooms; that is how these bills get written—people do things that benefit themselves. They just do. That is the way it works. I don't even want to speak to that. That will be something I hope the media will speak to over the next two or three weeks, when we find, in these 2,232 pages that no one has read, the things in this bill that are going to be egregious to the American people—highly egregious.

I hope people will find them. I hope the media will report them. I know they are in there. I just don't know what they are yet because the bill has just been produced. That is of concern.

What is of grave concern to me is that we have made no attempt whatsoever to create any kind of offsets and no attempt whatsoever to try to solve our fiscal issues. Together, Republicans and Democrats are running off a cliff and passing a bill.

Now, let me speak to Democrats. I am criticizing Republicans, as I should, with this piece of legislation, when we control the executive branch, we control both Houses of Congress, and we are getting ready to pass a bill that will add \$2 trillion for these young people to pay for down the road, which will compound, compound, compound. We have \$21 trillion in debt today, not

to speak of the \$100 trillion of unfunded liabilities.

My Democrat friends, raised unmitigated H-E-L-L over the tax bill that was potentially going to create some deficits if growth projections didn't occur. I have not heard a word from them—not a word, not a word—about the fact that there is no question that we are adding \$2 trillion in debt here—no question. This is money gone, down the tube, out the door, and no way to pay for it. I haven't heard a word from them—not a word. My friends in the media were beside themselves—beside themselves—in December. I mean, the world was going to come to an end if the growth projections that were laid out didn't occur, and the deficits that might be created by this tax bill if we didn't have the growth projections. They were just beside themselves. I have not heard a word from them. It is amazing. Somehow or another, spending more money than we have is different than hoping to create pro-growth tax reform.

So let me just say this. I am optimistic about our future. I see young people around our country who are just so impressive. I go to schools. I go to colleges. I see people in townhall meetings, in restaurants, at the grocery store and in other places, and I could not be more upbeat about the generation of people coming after us—who care about others, who care about the future, and who are engaged in issues. We will have a big crowd up here this weekend, caring about a particular issue that they should care about.

But I could not be more discouraged about where we are today with our adult leadership here in Congress and at the White House.

This is one of the most grotesque pieces of legislation I can remember.

One of the best votes I ever made was the Budget Control Act. It was criticized, but it kept domestic and discretionary spending on a level. We should have done the rest of it. The rest of it was people getting together to solve our long-term problems. That didn't happen. We created sequester, and I know that has built some of the pressure that leads us to where this bill is today.

This is a grotesque piece of legislation—grotesque—that we would pass a piece of legislation that would set the standard for \$2 trillion in deficit spending not offset.

I am discouraged. I am discouraged about where we are today. I am discouraged about the fact that we continue to be engaged in generational theft—my generation.

We will not deal with mandatory spending—mandatory spending that benefits my generation. To these young people sitting in front of me, we are engaged right now in generational theft because we are transferring from you to us your future resources, because we don't have the courage or the will to deal with issues.

By the way, unfortunately, the American people are not there. The

American people do not care about this issue because we are living fat and happy today and because the crisis has not yet occurred and because we can slough it off on you and keep ourselves from making these tough decisions.

By the way, these tough decisions play themselves out in the polls because people get angry about the fact that we need to be responsible and that we need to make sure that you guys are not going to pay these huge tabs. By the way, your standard of living, when we pass this bill, will be diminished. When you go on to college and graduate and start working in your job, just know that what we are getting ready to do tonight or tomorrow is going to diminish your standard of living, because we are going to pass a huge bill, unpaid for, that you are going to pay for and your children are going to pay for. That is what we are doing.

That is what we are doing because we don't have the will as a body to say: OK, if we are going to spend this additional money, what is it that we are going to cut over here? What are we going to do relative to the fact that right now Medicare recipients take about three times out of the program what they put in. What are we going to do about that?

Well, see, we are going to do nothing about it because that is unpopular, and people don't want to hear the truth about these things. Instead, what they would rather do is say: Well, let's worry about that down the road.

But let me tell you who is going to be worrying about it. You are going to be worrying about it.

I know you have seen some outstanding people. I serve with outstanding people in this body. I really do. They are intelligent, hard-working people. I really do. It has been a great privilege. But what you are going to see tonight and tomorrow is a bunch of hard-working people pass a piece of legislation that is going to make your lives and your kids' lives worse.

I will not support this piece of legislation. I know it is going to pass overwhelmingly because there is too much in it to make people happy for the moment. But let me just say that down the road the American people are going to be very unhappy with our lack of responsibility.

Not only do I question the soul of my own party, I question the soul of the other party, and I wonder where the media is and why they are not out crying over what we are getting ready to do.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Madam President, I use the term loosely, but last Saturday, the 17th of March, was one of the high holy days in Chicago—St. Patrick's Day. They color the Chicago River green. Everybody wears green. There are great parades, great celebrations. I look forward to it each year—going back to my parish, Old St. Pat's, for mass and celebration and having a wonderful day of a lot of good feelings.

During the course of the St. Patrick's Day Parade, I walked along with various groups who were going to march and came upon the Chicago Police Department's bagpipe and drum band. I noticed that the banner they were carrying for the day was in honor of a wonderful man by the name of Commander Paul Bauer.

Paul Bauer, a commander of the Chicago police force, was downtown in the Loop of Chicago on February 13. He was attending an important meeting, and he heard over his radio that a fugitive was trying to escape. He dropped what he was doing, joined in, and participated in trying to catch this fugitive. He was cornered in the stairwell by this man and shot dead. The man who shot him got off six rounds and killed this wonderful man who had served not only the city of Chicago but our Nation in his role with law enforcement. He left behind a young wife and beautiful teenage daughter. He was from the Bridgeport community of Chicago, and when his funeral was held, massive crowds showed up, people paying tribute to Paul Bauer.

The reason I raise that is because they traced the gun that was used to kill this brave policeman. It was a gun that was originally sold legally through a federally licensed dealer in Madison, WI, and then the person who purchased it sold it, without a background check, to a member of his gun club. We don't know whether that person was disqualified, under the law, from owning a handgun, but we do know that the next purchase was the purchase that made a difference. That person decided to sell the gun on the internet, with no background check, and ended up selling it to a convicted felon—a person disqualified, under the laws of this country, from owning a gun. That is when that handgun got into the world of crime. It was used in the commission of a crime months before the shooting of Commander Bauer, and it was used to kill him on that day, February 13.

The reason I raise that is we know what we need to do. We need universal background checks—no ifs, ands, or buts about it. Whether selling to a person at a gun show or over the internet, there ought to be a background check. There is no excuse for selling a gun legally in the United States to someone who is prohibited by our laws from owning it—none. That is what happened. That is why that wonderful man, that brave policeman, lost his life.

The reason I raise that is we have a bill before us now. It is an Omnibus ap-

propriations bill, and it includes some provisions about gun safety. They are good. I don't argue with them. One is called Fix NICS—try to make sure more information is put into the background check system. There is another one related to school violence, which provides grants to schools to make them safer and such. I have no objection whatsoever. But we are not getting to the heart of the issue.

This is the heart of the issue: We have a Second Amendment that gives rights to Americans to legally own guns and use them responsibly, and the Supreme Court has made clear that we can draw clear lines as to what is permissible in that gun ownership and gun usage. We can draw lines that say: Yes, if you have been convicted of a felony, you cannot own a gun. You cannot assert a Second Amendment right. You have disqualified yourself. We can say: If you are mentally unstable, you can't legally own a gun in America. You can't assert Second Amendment rights in that circumstance. We can put provisions in the law relating to the type of gun that you own, how old you have to be to buy that gun, what kind of background check takes place. But none of that—none of that—is included in this omnibus bill.

My fear is that many Members of Congress will say: Well, we got a lot of contacts after the Parkland, FL, situation, and met with a lot of people. Now we have taken care of our constitutional obligation with the provisions in this omnibus bill.

It will be a sad day if that is the case because what we have done in this omnibus bill would not have stopped that killer from taking the life of Commander Paul Bauer—not at all. So as far as I am concerned, we have fallen far short from where we need to be when it comes to gun safety.

Something is about to happen this Saturday, a week after our St. Patrick's Day Parade. There are going to be marches and parades across the United States on March 24. Tens of thousands of students and their supporters are going to march right here in Washington, in Chicago, where I will join them, and in cities and towns all across America, including Springfield, IL. They will march to urge lawmakers—like me—to finally pass meaningful gun reforms that help keep our children safe and our communities safe.

There are things that happen in our personal lives that we bring to our professional lives, and I will share one of them with you.

After the terrible shooting that occurred in Florida, my daughter, who lives in Brooklyn, NY, was talking to her daughter, my little granddaughter, a first grader. Her daughter, that first grader, said: Mom, the teacher told us that if there is a shooter in our school, stay away from the windows and get down on the floor.

In first grade, they are being warned about shooters coming into their classroom. Who would have dreamed that

America would reach this point? It has. Who would possibly argue that the Second Amendment envisioned that possibility, that we would arm teachers so we could have some sort of a shootout in a first grade classroom anywhere in this country?

The marches that will take place on Saturday are a sign that perhaps America has reached a tipping point on gun safety. The fact that a majority of gun owners have stepped up and said that we should have universal background checks is an indication that we are reaching that point. The younger generation is standing up, speaking out, and, frankly, confronting us—those of us who are in positions of power, elected office—confronting us to do something and stop talking about it.

These young people are tired of living in fear, as are many students across this country. They are fed up with the status quo, in which hundreds of Americans are getting shot every day while politicians sit on their hands in fear of the gun lobby and the National Rifle Association.

I don't care what my scorecard is with the National Rifle Association. I know, incidentally, it is a failing grade, which I wear with pride. I don't care about my scorecard there. I care about my scorecard with the people I represent in Illinois, and I particularly care about the students and the parents who are worried about whether the school for their kids will be the next site of gun violence.

These young people who are going to march on Saturday are fed up with lawmakers who ignore the overwhelming majority of Americans who want to close loopholes in the background check system. Through their powerful advocacy and eloquence, these juniors and seniors in high school are already bringing about change.

Listen to what businesses across the country are doing. They are distancing themselves from the National Rifle Association. It is no longer considered just another political organization. They are voluntarily changing their business practices so they don't give a break to a gun lobby that will not give a break to honest Americans who want to be safe in their homes and schools. The students from Parkland, FL, have helped these businesses recognize that they need to be part of this effort.

We are seeing new gun safety reforms passed in State legislatures—not so much here in Washington but in States like Florida that have a long tradition of voting the other way on gun issues.

Unfortunately, the Republicans, who control the House, the Senate, and the White House, still haven't gotten the message. What we have included in this omnibus bill is weak soup; 17 lives in Parkland, FL, are worth more than what we are putting in this bill. Even after Parkland, after all of the lives that have been lost to violence, even as the school shootings continue, including a shooting in a Maryland high

school this week, President Trump and the Republican majority of Congress are still unwilling to push for universal background checks and an end to high-capacity magazines and assault weapons.

There were modest measures included in this bill. Is that all we get? Is that it? Is that the end of the national debate on gun safety for another 5, 6, or 8 years?

There is important language that I included in the defense portion of the bill, directing the Department of Defense to not only submit all its relevant records for NICS background checks but also to flag and prevalidate the records that would prohibit a person from buying a gun. It is a step in the right direction. It is necessary, but it is not sufficient to really make a difference when it comes to gun safety.

The prevalidation and flagging are important for the FBI to help us and will help them quickly confirm whether a person should be blocked from a gun sale. But let's be honest; this omnibus bill that we are considering today and tomorrow doesn't address the fundamental challenges our Nation faces when it comes to gun violence. It takes a pass.

It is time for Congress to start considering legislation on gun violence that the gun lobby might not like. We can't let the National Rifle Association have veto power over gun policy in this Nation. Politicians need to recognize the obvious. The gun lobby is increasingly angry, sometimes paranoid, often isolated in its political positions. It no longer speaks for the majority of people who own guns responsibly in America.

Remember, the gun lobby cares about one thing more than anything: selling firearms. It is all about the business side of the ledger—the bottom-line profit margin.

Violence prevention is not the focus of the gun lobby's agenda. In fact, the gun lobby usually opposes violence prevention legislation just in case it might hurt gun sales. It has reached the point where the NRA endorsement of gun reform proposal is typically a sign that the proposal is not meaningful.

We can't settle for the status quo anymore. We are facing a public health crisis of gun violence, and half-hearted measures are not enough. We need to fight for meaningful gun safety reforms. We need to call up measures like universal background checks and ending high-capacity magazines.

Tell me why a person who owns a firearm, whether it is handgun or a semiautomatic weapon, needs to have a high-capacity magazine so that they can fire 30 or 60 rounds at a time. Tell me why. You might need that if you are in the military. You might need it when it comes to police work and keeping our communities safe. There could be circumstances where they are needed, but why would an individual citizen need the capacity to fire 30 or 60 rounds

at one time? Those are the clips that are being used, incidentally, by these shooters. Those are the clips that are being used for mass killing in America. Those clips do one thing: They take human lives. It is not a question of sport or hunting or target practice.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. DURBIN. Madam President, I ask unanimous consent to speak for 3 additional minutes, if the Senator from Utah will give me that opportunity.

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

Mr. DURBIN. Let me close by saying, on March 24, students and Americans of all ages will march in the streets to honor those who have been lost to senseless gun violence and to call on their elected representatives to step up. I support the marchers. I will continue to work for meaningful action to help reduce gun violence. I am going to keep doing everything I can to put the safety of our kids and our neighborhoods ahead of the gun lobby's agenda.

I don't have any obligation to the National Rifle Association whatsoever, but I do have an obligation to a granddaughter living in Brooklyn, NY, in the first grade, who has been warned about what to do if a shooter comes into her classroom.

I hope my colleagues from across the aisle will join me. It is time to take a stand and show leadership. America is waiting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### NOMINATION OF RYAN NELSON

Mr. LEE. Madam President, I wish to speak for a few minutes about Ryan Nelson, who has been nominated by the President to serve as the Solicitor of the Department of the Interior. Ryan is a fantastic choice for this position at Interior. As a native and current resident of Idaho Falls, he is a fellow westerner who understands the issues confronting the West, confronting the region, confronting the entire country as it relates to the U.S. Department of the Interior.

Ryan would not just work on behalf of the West. I know he is someone who is going to serve honorably on behalf of the American people as a whole. In order to do that, he first has to be confirmed.

By my count, it has been 232 days since Ryan Nelson was nominated. There should be no further delays. The American people deserve to have qualified professionals in the executive branch, and Mr. Nelson is qualified, to put it very mildly. He is someone who has worked in notable posts of responsibility in all three branches of government.

During the George W. Bush administration, Ryan worked as Deputy Assistant Attorney General in the Department of Justice's Environment and

Natural Resources division. In that position, he personally argued 13 appellate cases. He also oversaw 700 attorneys and staff, who touched on all aspects of energy and environmental issues within the Department of Justice.

Later, Ryan worked in the White House as deputy general counsel for the OMB and as special counsel to then-Senator Jeff Sessions. That is just his experience in government.

Ryan has acquired senior management experience in the private sector as well. For the past 8 years, he has worked as general counsel for Melaleuca, which is a very successful billion-dollar Idaho business.

Ryan does not just know what it is like to work in government, what it is like to work in Washington. He knows that, but he also understands the challenges that businesses and workers face in the modern world.

I have known Ryan for many years. Ryan and I got to know each other while we were both in law school at BYU. I got to know Ryan and his wife Barbara, who have 7 lovely children. After law school, I ended up recruiting him to work at the law firm where I was then employed, Sidley Austin. After pulling all-nighters alongside Ryan, I can confirm what nearly 50 of his former colleagues wrote about him in a recent letter of support: He is an excellent choice to serve as solicitor.

Ryan has outstanding analytical skills, and he pays immense attention to details. These are qualities that will serve him well as the Department of Interior's top lawyer.

As you know, this administration has made it a priority to repair the relationship between the Federal Government and the Western States, where the Federal Government owns so much land. Too many workers in the West still don't feel as though they are treated fairly by their government. We can help restore that trust by confirming impartial, well-qualified nominees. Ryan Nelson is such a nominee. We need him at the U.S. Department of the Interior.

The Interior Department needs to have a Solicitor. Ryan Nelson is an exceptionally qualified nominee for that position. Let's confirm Ryan Nelson today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### OMNIBUS APPROPRIATIONS BILL

Mr. CORNYN. Madam President, I rise to mention one piece of legislative business and then will pay tribute to the senior Senator from Mississippi, Senator THAD COCHRAN.

Last night, the Appropriations Committee, which Senator COCHRAN chairs,

released the 2018 Omnibus appropriations bill. It includes a proposal that I feel very strongly about, and I am grateful to him and all of our colleagues for their support. I particularly want to acknowledge the advocacy of the majority leader, MITCH MCCONNELL, to make sure this provision is included in the omnibus bill. The House will soon vote on the omnibus, and then I hope we can quickly follow suit here in the Senate.

The provision I am referring to is, in shorthand, called Fix NICS. NICS, of course, is the National Instant Criminal Background Check System. I think it is a reasoned and reasonable response to the shootings that have, appallingly, occurred in our schools, our churches, and in our public spaces.

Just this last week, a gunman opened fire at a high school in Maryland, not far from here, and, of course, shootings have occurred in Florida, Texas, Nevada, Charleston, SC, and elsewhere. Our constituents are frustrated, frightened, and fed up. They want us to do something. More importantly than that, they want us to do something that will be effective and save lives. I am happy to say the Fix NICS bill fits that description.

People who haven't been active on this issue now are raising their voices and demanding that they be heard. Students are worried, understandably, and parents of students are worried. They simply don't want what happened in Parkland, FL, to occur to them. We need to listen to all of these voices, including to these students, who obviously will shape our Nation's future. They don't want to go to school and wonder whether bullets will rain down their hallways or whether their friends might be the next victims.

In a recent interview, one teenager said something that was trite but true. She said: "Guns are not the problem. The people are the problem." I happen to agree with that.

One question about school shooters is, How did they get to the point at which they thought that shooting up public places was what they really wanted to do? How did they justify it in their own minds, as warped as that might be? Also, what is it about our culture, their home environments, or their mental states that allows them to rationalize violence that does such tremendous harm? How does slaughter—because that is what it really is—become justified in their warped perspectives? I admit that those are tough questions to answer, and they are tough to even ponder, but we still can and have to do what is possible to protect our schools, our churches, parents, teachers, and our children.

Recently, 13 families from Parkland, FL, wrote in support of this particular legislation—legislation that would improve school safety, that has been sponsored by our colleague, the senior Senator from Utah. Senator HATCH's bill would fund the creation of and provide training for threat assessment

teams—in other words, to evaluate beforehand where people are vulnerable. It includes security measures and anonymous reporting systems. This bill is widely supported and shows that even on a divisive issue, there is plenty of room for common ground.

In that same letter, the 13 Parkland families said they supported Senator HATCH's school safety measures. They also expressed support for the Fix NICS bill, which they said is desperately needed to improve compliance with firearms purchasing background check systems.

A recent Gallup Poll showed that the public broadly supports proposals like Fix NICS. More than 9 in 10 see the importance of background checks.

Over the last few weeks, there has been a true groundswell of support for this bill that I and the junior Senator from Connecticut, Mr. MURPHY, co-sponsored. The supporters now include not only victims' rights advocates, gun violence prevention groups, and prosecutors, but also the U.S. Conference of Mayors, the National League of Cities, the Major County Sheriffs of America, as well as other law enforcement groups. All of these organizations have endorsed Fix NICS and signed a letter that asks that the majority and minority leaders put this measure to a vote. Now, in its having been included in the Omnibus appropriations bill, we will finally have a chance to do that—first in the House and then in the Senate.

These organizations and the general public agree that fixing our background check system should be a national priority and that we should better ensure that convicted criminals with past histories of violence and mental illness do not purchase or possess firearms, as the law currently in effect provides. They see merit in trying to fix our system that currently has allowed these same people to slip through the cracks and purchase firearms in order to kill innocent people, like the 26 who were gunned down inside the First Baptist Church in Sutherland Springs, TX, just outside of San Antonio.

Some have said that Fix NICS doesn't go far enough, that it is a modest measure. I have to question that sort of description. Is it really a modest measure if it will, in fact, save lives? I think not. It is a necessary measure and one that brings people together across the political spectrum, Republicans and Democrats alike. Even if Fix NICS were to save just one life, that would be reason enough to enact it, but I think that is unlikely. I think it will save many lives once it is enacted into law and signed by the President.

We have 78 cosponsors of this legislation. I can't think of another piece of legislation that has enjoyed such broad bipartisan support, including by the majority leader and the Democratic leader, Senator SCHUMER. In today's hyperpolarized environment, that kind of support speaks for itself.

I look forward to its passing in the House as part of the funding bill, and I hope the Senate will do the same before the end of the week.

TRIBUTE TO THAD COCHRAN

Madam President, I close by saying a few words about our friend and trusted colleague, the senior Senator from Mississippi, THAD COCHRAN, who has announced his retirement from the Senate. I know the real tributes are about to kick off in a minute when the majority leader comes out, but since I am up here, I thought I would take the opportunity to say a few words.

Senator COCHRAN has represented the State of Mississippi in the U.S. Senate since 1978. He is one of the longest serving Members of Congress in the history of the United States. His career and his life speak for themselves.

He is the son of a school principal and math teacher. Not surprisingly, he was a gifted high school athlete. He is a piano player and a former college yell leader. Yes, even like me, he is a recovering lawyer, but we will not hold that against him.

Before he joined Congress, he served in the U.S. Navy because he loves this country and the opportunities it has afforded him and his family. He is a man with a strong sense of duty and gratitude for the opportunities he has been given in life. After ROTC at the University of Mississippi, he received orders to join the USS *Macon*, and after that he joined the staff of the Navy commandant in New Orleans. Later, he ran for public office. He first served in the House of Representatives. He then, of course, came here to the Senate, where he quickly established himself as a cordial but formidable presence.

Before I came to the Senate, Senator COCHRAN was chairman of the Senate Republican Conference. He has chaired the Senate Agriculture, Nutrition, and Forestry Committee too. Most recently, he has alternated between serving as ranking member and chairman of the all-powerful Appropriations Committee.

Throughout his 45 years in Congress, he has participated in crafting and enacting historic legislation, but his main focus has always been on the people of Mississippi. His highest priority has always been on the men and women he was elected to represent in places like Jackson, Gulfport, Greenville, Starkville, and Hattiesburg. One example is when he fought so hard for recovery funding after Hurricane Katrina had destroyed large swaths of the southern part of Mississippi. Many people forget that that awful storm was much bigger than New Orleans'. Mississippi was hit almost equally as hard, and Senator COCHRAN made sure his State got the help it needed to get back on its feet.

His storied career is one of service and collegiality even amidst the fractious debates. He treats friends and political adversaries with respect. He listens to what people have to say. We need more people like that in public life.

The majority leader has called him the "quiet persuader," one who knows "there's a big difference between making a fuss and making a difference."

Judge E. Grady Jolly, of the U.S. Court of Appeals for the Fifth Circuit, who has known Senator COCHRAN as long as anyone, said that back home, he is known for his "modesty and his retiring nature"—not attributes you would normally associate with somebody in politics, but he is a class act. He is also known for the consistent attention he has paid to the Mississippi Delta—one of the poorest regions in the Nation's poorest State. The judge calls Senator COCHRAN the "ultimate model of sincerity," one who "never engages in ad hominem or personal attacks" and always "keeps a sense of humor about himself."

My office spoke to one Mississippi resident this week because we wanted to learn a little bit more about what Senator COCHRAN has meant to her. That woman, who had met Senator COCHRAN only a handful of times, said she had always respected and admired Senator COCHRAN's statesmanship and the dignity with which he represented Mississippi. Her comments are a good note to end on—statesmanship and dignity. Those traits never go out of style.

I know I speak for my other colleagues—and they will speak for themselves—when we all say thank you to THAD COCHRAN for setting a higher standard for the Members of this body. The U.S. Senate will not be the same without him.

KENNEDY-KING NATIONAL  
COMMEMORATIVE SITE ACT

Mr. CORNYN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4851, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 4851) to establish the Kennedy-King National Commemorative Site in the State of Indiana, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. CORNYN. Madam President, I ask unanimous consent that the Young amendment at the desk be agreed to; 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. 2215) was agreed to, as follows:

(Purpose: To strike a provision relating to a special resource study)

In section 3, strike subsection (d).

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 4851), as amended, was passed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Tennessee.

TRIBUTES TO THAD COCHRAN

Mr. ALEXANDER. Madam President, I rise to say a word about my friend THAD COCHRAN, who is retiring from the U.S. Senate.

In 1968, I had the job of recruiting State chairman for Citizens for Nixon-Agnew. I was a very young, wet-behind-the-ears former legislative assistant to Senator Howard Baker. We were working in the Willard Hotel in the fall of 1968. The idea was to try to find outstanding citizens who weren't necessarily Republicans because in the southern part of our country, there weren't a lot of Republicans, especially in the State of Mississippi.

So I called around the State of Mississippi to find out who might be willing to head up this Nixon-Agnew campaign. Everybody I called said: Well, there are two young men here who are just the most outstanding young men, both are cheerleaders at Ole Miss, or had been, and both are going to grow up to be the Governor of Mississippi, which was, at that time, I guess, the nicest thing one could say about some aspiring young man because nobody thought the two U.S. Senators, Eastland and Stennis, would ever retire. So growing up to be the Governor of Mississippi was really a great compliment to a young man in Mississippi at the time. One of those young men was named Trent Lott, and one of those young men was named THAD COCHRAN.

I telephoned THAD COCHRAN, and I invited him to become chairman of the Citizens for Nixon-Agnew. He was a Democrat, but he agreed to do that. We met in October of that year in Indianapolis. The mayor of Indianapolis then was Richard Lugar, a young mayor at that time and later a Member of this body. That was the beginning of THAD COCHRAN's Republican Party activity.

He and that other young man—who were so promising—both ran for U.S. Congress in 1972, and to the surprise of a great many people, they were elected, the first Republicans since Reconstruction, I suppose, from Mississippi—THAD COCHRAN and Trent Lott.

In 1978, THAD COCHRAN did something nobody had done from his State since the Reconstruction; he became a Republican who was elected to the U.S. Senate, and he has been here ever since.

The reason he was able to be successful is not surprising. THAD was and is an engaging, pleasant person. His parents were educators. He learned to play the piano. He was a terrific baseball player—good enough to play professional baseball. He joined the Navy. He was, in every respect, an outstanding young man, just as he has been a distinguished public servant throughout his life.



He has been widely respected here by his colleagues, elected to be chairman of the Republican conference, and most recently he has been chairman of the Appropriations Committee, which is as important as any position in this body.

In an era where not everybody seems to think it is important to act like a gentleman, THAD COCHRAN is a gentleman, and we respect that and the example he has set.

So he has been a pioneer for the Republican Party, he has been a good example for young people, and for all of us, really, in terms of what we should expect and try to emulate in public life, and, to me, he has been a great friend.

So my wife Honey and I would like to say to him and to Kay, his wife, that we respect him, we look forward to the next chapter in his life, and we honor his service to this country.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, I, too, wish to join my colleagues in a tribute to our retiring statesman, Senator THAD COCHRAN.

First of all, I have been asked by Phyllis J. Anderson, Tribal Chief of the Mississippi Band of Choctaw Indians, to have printed in the RECORD a proclamation that was adopted only recently about Senator COCHRAN in appreciation for his 46 years of public service as a Member of the House and of the Senate, and I ask unanimous consent that the proclamation be printed in the RECORD.

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

MISSISSIPPI BAND OF CHOCTAW INDIANS

A TRIBAL PROCLAMATION IN RECOGNITION AND APPRECIATION OF THE HONORABLE THAD COCHRAN—MARCH 2018

WHEREAS, the Mississippi Band of Choctaw Indians recognizes and honors The Honorable Thad Cochran for his 46 years of dedicated public service as a Member of the U.S. House of Representatives and distinguished U.S. Senator representing the State of Mississippi, including Choctaw citizens of our great Tribe; and,

WHEREAS, Senator Cochran has faithfully served, as both Chairman and Member, on Committees important to Mississippi and to the Mississippi Band of Choctaw Indians, including the Committees on Appropriations, Indian Affairs, Agriculture, Nutrition, and Forestry, Judiciary, Rules and Administration, Ethics and the Labor and Human Resources; and,

WHEREAS, Senator Cochran has achieved a wide-ranging legislative record and valuable legacy that reflects the needs of Mississippi, the Mississippi Band of Choctaw Indians, and the nation.

WHEREAS, Senator Cochran's work has helped to create jobs and spur economic growth in Mississippi and has continuously supported tribal sovereignty and self-determination which has contributed to the Mississippi Band of Choctaw Indians being one of the largest employers in our State; and,

WHEREAS, Senator Cochran's work has also promoted progress in our nation's rural communities, including on our nation's Indian reservations, through various programs for economic and educational development teacher training, vocational education, li-

braries, university-based research and development, conservation of the environment and our wetlands, forestry, health care and criminal justice; and,

WHEREAS, Senator Cochran, who also served in the U.S. Navy, has worked to protect the U.S. Armed Forces and our men and women in uniform, as well the Navy's ship-building programs and military bases and installations in Mississippi. Now, therefore, be it

RESOLVED, that I, Phyllis J. Anderson, by the authority vested in me as Tribal Chief, do hereby honor the legacy of the Honorable Thad Cochran and extend the sincere gratitude, appreciation, and many blessings of the Mississippi Band of Choctaw Indians to Senator Cochran upon his retirement after five decades of public service in the U.S. Navy, U.S. House of Representatives and U.S. Senate.

PHYLLIS J. ANDERSON,  
Tribal Chief, Mississippi Band  
of Choctaw Indians.

Mr. WICKER. Madam President, I would note that the last paragraph of this document says: "Resolved, that I, Phyllis J. Anderson, by the authority vested in me as Tribal Chief, do hereby honor the legacy of the Honorable THAD COCHRAN and extend sincere gratitude, appreciation, and many blessings of the Mississippi Band of Choctaw Indians to Senator COCHRAN upon his retirement after five decades of public service in the U.S. Navy, U.S. House of Representatives and U.S. Senate.

Signed by Phyllis J. Anderson, Tribal Chief.

Back in December of 1937, THAD COCHRAN was born in the little town of Pontotoc, MS, population 1,832. He was born in the delivery room of the Rayburn Clinic. Some 13½ years later, I was born in the delivery room of the Rayburn Clinic in Pontotoc, MS.

During the campaign, some years later in 1994, when I was first trying to be a Member of the House of Representatives, Senator THAD COCHRAN and I went around the northern part of the State and told many people that he and I were born not only in the same town and not only in the same clinic but born in the same room, the delivery room of the Rayburn Clinic. We thought that was the truth. As it turned out, we found out later from our moms, the Rayburn Clinic had moved down the street; so while we were both born in the delivery room of Rayburn Clinic, that clinic itself had moved. It just points out how long Senator THAD COCHRAN and I have been friends and how long our families have been friends and how well associated we have been down through the years.

Senator ALEXANDER mentioned that campaign in 1968, and then he mentioned that he was a candidate for Congress successfully in 1972. I was honored, as a college student, to go door-to-door for Senator COCHRAN during that 1972 campaign.

Yesterday was National Poetry Day. Perhaps it is appropriate for me, today, to quote a couple of poets, the first being Henry Wadsworth Longfellow who said:

Lives of great men all remind us

We can make our lives sublime;  
And departing, leave behind us  
Footprints on the sands of time.

As THAD COCHRAN departs the Senate in a few days, I think it is appropriate for us to reflect, as my friend from Tennessee and my friend from Texas have already done, and as others will do, about the great footprints Senator THAD COCHRAN will have left in the sands of time for our Nation.

Because of THAD COCHRAN, our Nation's defense is stronger today.

Because of the efforts of our colleague from Mississippi, my senior Senator, Americans are healthier today and will continue to be healthier.

American agriculture is stronger today because of the efforts of this "quiet persuader" in the field of agriculture; and our economy, as a whole, is stronger because of the many efforts of Senator THAD COCHRAN and before that, Representative THAD COCHRAN in the U.S. House.

I am just very grateful. We are all grateful for all he has done.

Senator COCHRAN acknowledged in his statement about his impending retirement that health had become an issue for him, and it was time to move on.

I told reporters and I told Members who asked me—I said it is a bitter-sweet moment, it is a poignant moment for me to hear such things. These sorts of things happen, and we all face health issues at some point.

Alfred Lord Tennyson, in his magnificent poem "Ulysses," said:

Tho' much is taken, much abides; and tho'  
We are not now that strength which in old  
days

Moved earth and heaven; that which we are,  
we are;

One equal temper of heroic hearts,  
Made weak by time and fate, but strong in  
will

To strive, to seek, to find, and not to yield.

I say to my friend THAD that we appreciate the fact that he has been strong in will and, though time and fate have happened to THAD COCHRAN and will happen to me and to all of us, what abides is the legacy he has left of being a "quiet persuader," of being a person of accomplishment, of being a gentleman who has made this country and its citizens better off, and I thank him.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader.

Mr. McCONNELL. Mr. President, when I learned that our distinguished colleague from Mississippi would be retiring this month, I found it difficult to imagine the Senate without him.

That is for good reason. THAD COCHRAN arrived here in 1978. Two hundred and fifty-four Senators have since followed in his footsteps. Of those currently serving, 97 of us are newer at this than THAD is, and every single one of us has been treated to a first-rate example of honorable service, a master class in the art of legislation, and living proof that unwavering principle

and unflappable collegiality can and should coexist.

We all know THAD has a knack for making things look easy. So many graces and talents seem second nature to him, but appearances can be deceiving.

Take the start of his political career. When we think about it, it is only natural that Senator COCHRAN liked to work on conservation issues. I expect his adventures as a Mississippi Republican in the early 1970s helped him understand just what it feels like to be an endangered species.

In 1972, THAD was a rising-star attorney when he was asked to try and become just the second GOP Congressman from his State since Reconstruction. The possibility seemed so remote that when he asked Rose how she would like being married to a Congressman, she replied, "I don't know—which one?"

Long odds, indeed.

But true to form, THAD won in the end—and again and again—and then he became the first Republican Senator from Mississippi in a century.

It is safe to say service is in THAD's DNA. Both his parents were devoted educators. His father, W.H., served as superintendent of a large, rural public school district. His mother Emma was a pioneering mathematics teacher who wrote new curricula.

In Pontotoc, MS, their two boys grew up with a healthy appreciation for the power of good schooling.

THAD graduated as high school valedictorian, then came a naval commission, and then law school, where he graduated at the top of his class, but no amount of success can take the kindness and courtesy out of this quintessentially southern gentleman. A deep respect for others is THAD's calling card.

Just a few weeks after he arrived in Washington, he brought his staff together and he said:

We're going to treat everyone the same. We're here to find answers for everyone, even if they disagree with us. We're here to serve the people of Mississippi.

Even at a time when the wounds of segregation were still raw, he made it clear this meant all—all—Mississippians. In fact, he hired the first African-American congressional staffer to work in a Mississippi office since reconstruction—Nehemiah Flowers. And for all his staff, THAD took the time to pen a detailed memo laying out high expectations for serving constituents and treating everyone with dignity. That temperament led to a litany of accomplishments.

Mississippians knew that in THAD they had a quiet persuader, a steady workhorse, and a dogged advocate who almost never made a fuss but almost always made a difference. Indeed, the policy achievements of this mighty Appropriations chairman are so numerous as to defy easy summary.

I know this schoolteacher's son is particularly proud of his work on edu-

cation. Senator COCHRAN carried the banner for research partnerships that raised the profile of historically Black colleges and universities. He delivered critical funding to expand scholarship access. He spearheaded the Delta Education Initiative. He inspired the Cochran Fellowship Program, which has changed the lives of more than 17,000 agriculture professionals from around the world.

It is no exaggeration to say that THAD COCHRAN's work has broadened the horizons of millions, but it didn't stop there. There were the landmark bipartisan bills, like the Cochran-Inouye National Missile Defense Act. There is his partnership with his dear friend, Senator LEAHY, on the Farm to School Program. The list just keeps growing.

When he first ran for the Senate in 1978, THAD's stump speech included a line that Mississippians deserved a Senator who would work full-time for them. They certainly got one. THAD didn't come to Washington to curry favor, win praise, or hog the limelight. When I say he preferred making a difference to making a fuss, I really mean it. This man served in the Senate for seven terms and only appeared on Meet the Press twice.

No, THAD had other business to attend to. He spent his 39 years in this body working full-time for students and educators, full-time for farmers and ranchers, full-time to deliver funding for our brave servicemembers and our veterans who returned home.

It is rare, even in the halls of Government, to meet someone as influential as Senator THAD COCHRAN. It is even rarer to meet someone as kind, as even tempered, and as concerned for the welfare of others. It is almost unheard of that this same man would be both. That is just who THAD is.

He wrote the book on composure under pressure. He served as the careful custodian of billions of taxpayer dollars without losing an ounce of humility. On the Senate floor and in committee, he tackled heated debates and complicated legislative challenges with true servant leadership. On the tennis court, by all accounts, he offered his colleagues a different and altogether less hospitable sort of service. But true to form, I hear THAD always combined winning and graciousness. He has certainly had enough practice at both.

From Pontotoc, MS, to the Senate floor, THAD COCHRAN's story has grown but it hasn't changed. It is a story about putting others first. It is about doing the right thing every step of the way. It is a story that will continue to teach and inspire those of us who now must carry on our work without him.

I know that THAD's devoted staff are sorry to see him go. Their allegiance to him, famous throughout the Senate, is further testimony to his own principled professionalism. This is exemplified by nobody quite so well as Doris Wagley, Senator COCHRAN's personal secretary, who has served THAD ever since 1973,

when he was first sworn in as a Congressman. She planned to take the job for just a year or so and then reassess—enough said. She, along with all of Senator COCHRAN's excellent staff, has our admiration and our gratitude.

I would particularly like to thank two men who have led teams in service to Mississippi and Senator COCHRAN so well—Brad White, his chief of staff, and Bruce Evans, his longtime staff director on the Appropriations Committee. I am grateful for their hard work on behalf of the Senate. I know the early mornings and late nights were many, including just these last few weeks.

THAD's friends know that retirement will allow him more happy times with his wife Kay, his beloved children, Clayton and Kate, and the three grandchildren he adores. He departs with our warmest wishes.

We will miss our great persuader. We will miss our loyal friend. We stand with Mississippians and a grateful nation in honoring the service of Senator THAD COCHRAN.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished majority leader and the distinguished other Senator from Mississippi for their comments.

I have often thought that THAD COCHRAN and I would serve here together straight through whatever time we have in the Senate. Because he is such a dear friend, I have often felt that Senator THAD COCHRAN was plucked from a central casting to fill the role of a devoted public servant. More than most of us, he looks the part, but more than most of us, he embodies the best of what the Senate can be. Currently, in this body, I have served longer here than anybody else, but I have never felt closer to a Senator than I do to THAD COCHRAN, my dear friend.

Our country needs more public servants like THAD. As Congress has become more partisan in recent years, THAD has stood by his values. He brings substance, not sound-bites, to the upper Chamber. His leadership, as has been described, as "the quiet persuader" is going to be missed.

They talk about his being the son of a schoolteacher. So it is no shock that he devoted his life to public service. He joined the Navy after graduating from Ole Miss. He went on to earn a law degree from the University of Mississippi and then became engaged in Mississippi politics, often traveling with his father to help with voter registrations in campaigns around the State. He worked on campaigns from county sheriff to the Governor's race.

THAD then went to the House in 1972—here to Washington, a couple years ahead of me—and then we became Senate partners in 1978.

He and I both became chairmen of the Senate Committee on Agriculture, Nutrition, and Forestry. Today in the committee's hearings room, our official portraits hang together. It is easy to tell them apart. He is the one with the hair and better looking.

Marcelle and I have joined THAD in Mississippi to visit sprawling cotton farms and fish farms, and twice THAD joined me in Vermont to visit small family dairy farmers. I even introduced him to my mother in Montpelier.

Now, I have to make a confession here, and I hope this doesn't go out of this room. It was during one of those trips to Vermont—to St. Johnsbury, VT—in 1985 that I had extolled the beauty of Vermont in the wintertime. When we arrived, I think the southern gentleman was not ready for temperatures that dipped down to around 20 below zero. That is cold weather even by Vermont standards. This wonderful southern gentleman turned to me and he said: PAT, this is not Mississippi weather. Then, he made a few other suggestions of what I was trying to do to him, but we had a wonderful visit just the same. We stayed in what is called the Rabbit Inn, with fireplaces going. The next day at our meetings, I think Vermont was ready to elect THAD COCHRAN as its third Senator, because he was so impressive.

We also traveled beyond Vermont and Mississippi. We met with leaders around the world. As senior Members of the Senate, we could go in a bipartisan way to see what they thought about the United States and to answer their questions. We and our wives became closer in these fact-finding visits. No matter how long the trip was—and some were to the other side of the Earth—THAD, through his conversation and his friendship, made even the longest trip seem short.

In our travels, one of the things I could always count on was that THAD would always check in on the Cochran fellows in whatever country we were in. Starting in 1984, the Cochran Fellowship Program has provided training for more than 17,500 people from 125 different countries to develop agricultural systems and to strengthen trade between our countries. The program also strengthens understanding between the United States and other countries.

THAD is leaving a legacy that is tied to our Nation's agricultural development. When he was chair of the Agriculture Committee, he left his fingerprints on the farm bill, which are still there today. More recently, we championed the reauthorization of the Farm to School Program, which provides Federal resources to bring fresh and nutritious local food from local farmers to more than 40,000 schools across the country, including 83 percent of the schools in Vermont—what a legacy, as the son of a teacher and a great advocate for Mississippi farmers. THAD knows how important this program is to strengthening local farm economies and educating young kids and their families about the importance of eating locally grown and nutritionally dense food. This picture was taken as we were visiting a farm—obviously not when it was 25 below zero. It was probably a warm summer day. So that is why we only have on light sweaters.

Even though we are on the opposite ends of the political spectrum, THAD and I have crossed the aisle to work hand-in-hand for the American people—from our work in the Senate to our work for years as regents at the Smithsonian. In every bill and program on which we have worked, he has been a Senator with integrity, decency, civility, and, most importantly, a dear and cherished friend. THAD will always keep his word, and I tell that to the Senate because that is a quality that is becoming too rare sometimes in both parties. He is old school. Many of us would say the best school.

When I became vice chairman of the Senate Appropriations Committee, I knew I would have a steadfast partner in Senator COCHRAN. He has earned the moniker of “the quiet persuader.” He was also referred to by one of the members of the Appropriations Committee once—a moniker that should be appreciated—as a workhorse, not a show horse. That is why he has been so successful—the quiet persuader. Well, the quiet persuader, when Hurricane Katrina struck, used his leadership to direct nearly \$100 billion to communities on the gulf coast to rebuild.

THAD will leave this Chamber having cast more than 13,000 votes and becoming the 10th longest serving Senator in the history of our country. A constant champion of Mississippi and the American people, I don't think many people truly understand how much Senator COCHRAN has accomplished for his State and his country.

Marcelle and I count THAD and Kay among our dearest friends. His leadership on the Appropriations Committee in the Senate will be sorely missed. Our country needs more devoted public servants like THAD COCHRAN, and I am sad to see my dear friend leave. But I know his legacy is a presence that will be felt in this Chamber, in Mississippi, and across the country for generations to come. I will enjoy looking at the photographs of my dear friend taken in Vermont, Mississippi, and around the world. He is one of my heroes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I, too, would like to start by thanking my good friend, Senator THAD COCHRAN, for the tireless dedication and public service he has brought forth here throughout some 40-something years—45 years.

As has been said, he was elected to the U.S. House of Representatives over 45 years ago, and he was elected to the U.S. Senate in 1978. As all of us know, THAD was a practicing attorney in Jackson, MS, and a graduate of the University of Mississippi School of Law. He also studied abroad at Trinity College in Dublin, Ireland, where we visited one time.

We have served together in the U.S. Senate for over 30 years. He has been an excellent colleague, and I have been honored to have worked with him. We represent neighboring States, Mis-

issippi and Alabama, and we have both worked on some of the same priorities. But, mainly, he has served Mississippi with the utmost dignity and respect.

He has an excellent staff. We are all grateful for their hard work, their help, and their coordination with all of us.

As chairman of the Appropriations Committee, he has been a remarkable negotiator. As the majority leader will tell you—he is one himself—we need those traits at this point in time.

THAD has provided critical funding for various Mississippi priorities over the years. He hasn't forgotten where he is from. Right here, with a lot of help, he led the restoration of the gulf coast after Hurricane Katrina. As I have understood them, his major priorities have always been the defense of this Nation; education, as Senator LEAHY talked about; agriculture, where he served as the chairman of the Ag Committee for a long time; rural issues, not only in Mississippi but all over America. THAD also spent many years serving on the Rules Committee, where I now chair.

I believe history will reflect THAD COCHRAN's long legacy of strong leadership, and I, myself, believe that he has made an extraordinary impact here in the U.S. Senate.

THAD, as we all know, is very courteous, well-mannered, and has a low-key demeanor most of the time. He is quiet, he is patient, and he has built seniority through power and perseverance.

Some people say that THAD COCHRAN is the last true southern gentleman, and I think there is a lot of truth to that. Some people say that he represents the lost art of being nice; we all need to work on that. He always has been and will be a hero both here and back home in Mississippi.

THAD, I wish you and your wonderful wife, Kay, well. I think all of us should strive to continue on the wise path that you have paved for us here in the Senate.

I believe we are all grateful for his service to Mississippi and our Nation. We wish him God's speed.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I have known and admired THAD COCHRAN for 40 years—since he first came to the Senate. At the time, I was a young staffer for Senator Bill Cohen, who also was elected to the Senate that same year.

I saw from the start that this gentleman from Mississippi was so bright, insightful, and creative yet also humble, kind, and devoted to helping others. He treated everyone with such dignity. He was nice to everyone, from the elevator operators to the highest officials around the world. He truly is one who leads by example.

Those qualities are his legacy, and I have seen them time and again as a member of the Senate Appropriations Committee when THAD was an important member and, of course, when he became the chairman.

Last year was the 150th anniversary of the creation of the Appropriations Committee, and THAD marked that occasion by reminding all of us of our great responsibility to make thoughtful and informed decisions in the allocation of public funds. In managing appropriations bills, he was always so inclusive, willing to incorporate ideas and priorities from everyone who could make a persuasive case. The fact is, THAD has always placed careful consideration and compromise above partisan politics. That really reflects how THAD has led his life.

He has excelled at everything he has ever undertaken. When he joined the Boy Scouts, he became an Eagle Scout. In his high school, he was valedictorian. In college, he had the highest scholastic achievements. He excelled in serving in the Navy, and, of course, we know how much he has accomplished as our esteemed and dear colleague here in the Senate.

When THAD served as chairman of the Appropriations Agriculture Subcommittee, he traveled to the State of Maine with me, and we met with Maine's potato farmers and blueberry growers—not exactly staple crops of Mississippi. THAD listened intently to these farmers and growers. It was clear that he cared about them and that he valued our family farms and our rural communities.

That night, we had a lovely Maine lobster dinner at an inn on the coast. During that dinner, THAD shared with me his passion for good literature, his love of music, and his passion for education that had been instilled in him by his parents.

Of course, another issue that brought THAD and me together was making sure that our naval fleet was strong. As a U.S. Navy veteran who served for a time in Boston, MA, THAD has always been a dedicated advocate for his shipyard in Mississippi, as I am for Bath Iron Works in the State of Maine. THAD has twice visited BIW with me to see the great work done there.

In 2013, THAD received the Navy's Distinguished Public Service Award in recognition of his longstanding commitment to American sea power.

Through four decades in the Senate, plus three terms in the House of Representatives, THAD has compiled an admirable legislative record on issues ranging from education to libraries, the arts, our national defense, scientific and biomedical research, conservation initiatives, and civil rights. But perhaps his greatest legacy is that he taught us how a Senator should act, and that legacy will live on forever.

THAD, our Nation is so grateful for your service, and I, personally, am so appreciative of your friendship. I offer my best wishes to you and to Kay. You will be greatly missed.

The PRESIDING OFFICER. The minority leader.

Mr. SCHUMER. Mr. President, I had the privilege to speak at some length about THAD in leader remarks, but I

wanted to add one point. I know my colleagues are waiting.

Another trait of THAD's, which has made him so successful, is that he has a long memory and knows how to work the legislative process. I remember, after the devastation of Katrina, THAD came over to me and talked to me about the need for so much, including a rail line that was somewhat controversial in the southern part of the State. He convinced me that it was desperately needed, and I voted for it.

Well, the wheel always turns, and 6 years later, we were devastated by Sandy. We needed all the help we could get, and I went to THAD. I didn't have to say a thing. He said: I remember what you did for me. I am going to help you all the way with Sandy, and he did.

This is just one of many great traits about this man and why he was so amazingly successful for the country and, most of all, for his beloved State of Mississippi. He made people want to help him and help his State, even though we don't have—as the Senator from Maine has said, our States are so different. We wanted to help each other, and we are bound by it.

THAD, you are a great man and a great example to all of us on how to conduct ourselves. We will miss you here in the Senate but wish you God's speed in whatever else you do.

The PRESIDING OFFICER. The President pro tempore.

Mr. HATCH. Mr. President, I rise today to pay tribute to a long-time friend, a revered public servant, and a true southern gentleman, Senator THAD COCHRAN.

THAD COCHRAN will be retiring at the end of this month, bringing an end to more than 40 years of exemplary service to Mississippi and our Nation.

Senator COCHRAN is a Mississippi man through and through. He was born in Pontotoc to a mother who was a school teacher and a father who was a principal. After graduating as valedictorian at his high school, THAD attended Ole Miss, where he earned both his bachelor's and juris doctor degrees. After serving in the Navy, he practiced private law in Mississippi for several years, but it wasn't long before he entered politics.

After serving in the House of Representatives, THAD first came to the Senate in 1978, just 2 years after my own election. The truth is, I hardly know this place without him, and I can hardly imagine what things will be like when THAD is no longer sitting here.

It is difficult to describe the special bond you share with someone who has been your close friend and partner here on the floor and colleague for more than four decades. THAD and I have been here through some of the most formative events in modern history, including the fall of the Soviet Union, the rise of American hegemony, the creation of the internet, and the coming of the digital age. As Members of this body, we have had the privilege not only to witness history but also to help shape it.

Whether as chairman of the Senate Republican Conference, the Agriculture Committee, or the Appropriations Committee, Senator COCHRAN has spearheaded some of the most significant policy initiatives of the last several decades. With an equal mix of healthy persistence and pure southern charm, he quickly earned his reputation as the "quiet persuader." I know I speak for all of my colleagues when I say he will be sorely missed.

THAD COCHRAN is so much more than the senior Senator from Mississippi. He is so much more than the legislation he has passed and the titles he has held and the awards he has received. THAD COCHRAN is a fixture of American politics, a man synonymous with the Senate, who embodies in every way all that is right and good about this body—a commitment to comity, character, and respect.

I think my colleague Senator LEAHY put it best when he said that Senator COCHRAN represents the old school. He personifies a generation of lawmakers brought up on the principles of bipartisanship and compromise, and I believe that these very virtues have been the keys to his success as a legislator.

Even in recent years, as our politics grew ever more divisive, THAD reminded us that in the era of endless gridlock and perpetual polarization, there is no alternative to civility and healthy debate. THAD is always someone you could trust to put the good of others above self, someone you could count on to reach across the aisle even when the political risks were great. In so doing, THAD gave all of us a template for effective legislating, and he followed the model for decades for the betterment of Mississippi and the Nation.

I consider myself lucky to know THAD and even luckier to call him friend. It is true that this body will not be the same without him, but I hope we can honor his service by recommitting ourselves to the virtues of civility and respect every day.

Today, I want to thank my colleague from Mississippi for his example and his many years of friendship. I wish him and his family the very best.

THAD, I want you to know that not only will we miss you, we will not get along as well without you. I think the world of you. It has been a pleasure for me to sit right by you on the floor for all of these years, and it has been a pleasure to learn from you. God bless you, and just know that a lot of us are pulling for you in every way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, everybody doesn't just come up with the same description of someone they have worked with every day by accident. When we think about everything that has been said and everyone independently setting down what we remember about Senator COCHRAN, what we think about when we think about Senator

COCHRAN—he is a gentleman. He is a quiet persuader. He gets things done in a way that makes things that would otherwise seem hard for other people seem easy for him.

The true, groundbreaking politician came to the Congress in 1972, but in 1978, he was the first Republican elected statewide in Mississippi in over 100 years.

He gave evidence to that willingness to serve everybody in the direction he gave his staff. Nobody ever talks about Senator COCHRAN without talking about his staff. It doesn't take long into that conversation to talk about his staff. Just as THAD COCHRAN encouraged them to do on day one, they always tried to solve everybody's problem they worked for, no matter what that past relationship might have been or how they disagreed on other things.

The first time I got a chance to work with Senator COCHRAN, I was the chief deputy whip in the House, and we were in a leadership meeting trying to bring some things to a conclusion. I think the majority leader in the Senate at the time was THAD's colleague from Mississippi. Trent Lott turned to THAD and me—I was the junior person at the table. My mom and dad were dairy farmers, and maybe that is why Senator Lott thought I would understand this. It was a dairy issue, as I recall, and he said: Why don't you and Senator COCHRAN work this out? I think it was something on milk marketing orders, which almost nobody understood. It was a problem that nobody thought they could solve. I had been here about 25 months, and Senator COCHRAN had been here 25 years, and what I got was the great gift of watching him work out that problem, and it got to the conclusion that, for whatever reason, everybody was happy with.

His leadership, for States like Missouri and Mississippi with large rural populations—I think we have a bigger urban population than Mississippi, but we both have big rural populations. Whether it was agricultural issues or flood insurance or rural economic development, THAD COCHRAN was always there—at one time, not just as the chairman of the Agriculture Committee but also the chairman of the agriculture appropriating committee, and anybody who has worked around here very long knows it doesn't get much more powerful than that when it comes time to solve problems.

There have been mentions of Hurricane Katrina and stepping up, along with Haley Barbour, the Governor of Mississippi, coming together, convincing the Congress of things that needed to be done, and a few things that got done in Mississippi that didn't get done anywhere else.

I was presiding this morning when Senator SCHUMER spoke. He mentioned—he didn't mention it is his comments a few minutes ago, but he mentioned this morning—and this is an important view of both of them—he said that he remembered THAD saying

one time: I don't call a lot of press conferences; I don't think it is part of my responsibility. Senator SCHUMER quickly pointed out that was not his view of press conferences, but it was THAD's view of press conferences or "Meet the Press" or anything else that didn't focus on his job of getting things done.

The bill we will vote on today does things for members of the Active Armed Forces and veterans that we haven't done in a long time. It is a fitting conclusion to the service of THAD COCHRAN, who in 2013 received the Navy Distinguished Public Service Award. He was stationed in Boston for part of his service in the Navy, where nobody could understand what he said, but they wanted to do whatever it was that THAD COCHRAN wanted to do.

I liked the term that Senator SHELBY used, that THAD COCHRAN is one of the last practitioners of the lost art of being nice—the lost art of being nice.

I talked to my 13-year-old son Charlie just this morning, and I said: You know, Charlie, it is actually easier to be thoughtful than to be thoughtless. So many of us don't mature much beyond the 13-year-old understanding of that. We would be better off to watch and learn from what THAD COCHRAN did so well while he served in this body.

THAD and Kay will be missed in the daily Senate family, but they will always be an important part of the Senate family.

It is an exciting time when you get to go home to Mississippi and don't immediately understand that you very quickly have to turn around and come back to Washington to do what THAD did so well for so long, representing the people he worked for, the people he loved. At least two generations of Mississippians don't remember when THAD COCHRAN wasn't their Senator, and only when this time in the Senate ends will people fully begin to realize how much he did, how much they appreciate what he did, and how much has happened because THAD COCHRAN was here.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, it is an honor for me to come to the floor of the Senate and talk for a minute about my friend THAD COCHRAN. I know everybody has probably said everything that needs to be said; just everybody hasn't said it yet. Kind of in the vein of what Senator BLUNT said, everybody says the same thing about Senator COCHRAN: He is gracious, smart, gentle, effective, and a great colleague.

I want to tell my colleagues about THAD COCHRAN. When I came to the Senate 14 years ago, I had served in every legislative body I could be elected to where I live. I served in the Georgia House, the Georgia Senate, the U.S. House, the U.S. Senate—all representative legislative bodies. In each one of them, I got some advice.

My first year in the Georgia House, 41 years ago, I got some very good advice. A good friend of mine said: JOHN-

NY, I will tell you what you do. The first year you are here, don't say a word. Just watch everybody talk. Watch what everybody else does. Look at people you would like to be like, and for the remainder of your career, be like that person, because in the end, this business is about relationships and effectiveness, not about bluster and bragging.

I did pick out a guy; his name was Carl Harrison. Carl Harrison has since passed away, but he was one of the best friends I have ever had in life. I watched him in the Georgia Legislature, and I patterned myself after Carl Harrison, and the success I had was because I followed a great leader like him.

When I got to the U.S. Senate, I knew I needed leadership. I knew I needed to find a book or something to tell me how to be a good Senator. I remembered Carl. I said: You know, I am going to sit in this body. I have 6 years in this term. Surely I can take a few months for the first year and kind of figure things out.

So I started watching. I could see the characteristics and the quality of each and every individual in the Senate, and everybody offers unique gifts that they have given to this body. I kept watching THAD COCHRAN. He was respected. He always had time for you. He never let you know he had been here a lot longer than you ever thought about being here, maybe even longer than you had been born. He listened to you, and if you asked him a question, he gave you an answer.

So I called my wife and I said: Sweetheart, when we come back to Washington next week, I want to take THAD COCHRAN to dinner because I have decided he is the guy I would like to be most like.

I am not making this up; this is exactly what happened.

So we went to Ocean Air. THAD, I don't know if you remember that night. It was pretty crowded. THAD is not a loud guy, but when THAD walks in a room, it gets a little bit quieter because everybody knows wisdom has arrived. My wife and I enjoyed that dinner that night, and we became great friends.

We had a number of issues on which we engaged each other over the course of the years, and on all of them, I think we were on the same side—except catfish. I think I got it wrong on catfish, and I apologize for that, but I tried to redeem myself.

The highest compliment I can pay is to say that I wanted to be just like THAD COCHRAN. So in the 13 years since that dinner at Ocean Air and in everything I have done and tried to do in the Senate, I have tried to be like THAD COCHRAN.

Mark Twain once wrote: When confronted with a difficult decision, do what is right. You will surprise a few, but you will amaze the rest.

When we have tough decisions to make, when somebody has to cut to the

chase and point you in the right direction to get the job done, it is THAD COCHRAN whom you want in your foxhole. He is the perfect example for me of a noble life and a noble leader.

I have a favorite poem. It is in a book called "Leaves of Gold" from the Methodist Church. I think that poem applies to THAD COCHRAN better than any words I can say. The poem goes like this:

I'd rather see a good person  
Than hear about one any day.  
I'd rather have a good person walk with me  
Than merely show the way.  
For my eyes are better pupils  
And more willing than my ear.  
And fine counsel is confusing  
But example is always clear.  
And the best of all the people  
Are the ones that live their creeds.  
For to see the good in action  
Is what everybody needs.  
While I'll be very glad to do it  
If you'll let me see it done;  
But I can watch your hands in action,  
But your tongue too fast may run.  
But the lectures you deliver  
May be very wise and very true;  
But I'd rather get my lecture  
By observing what you do.  
For I may misunderstand you  
And the high advice you give;  
But there's no misunderstanding  
The way you act and the way you live.

THAD, you have blessed us all by the way you act, the way you live, and by the example you set. May God bless you and your family. I wish you the best. And may you always come back, because if you ever need me, I will be right here for you because you have always been there for me. God bless you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I wish to thank the Senator from Georgia for those comments, and I would like to associate myself with all of them. We should have saved it for the concluding speech, I think.

I rise today to also honor a man who has spent the last 46 years faithfully serving the State of Mississippi in Congress.

THAD, you are the longest currently serving Member of Congress, and we are going to miss your experience and your leadership. You have left a mark on Congress that won't soon be forgotten. You have served with great distinction and made a difference in the Senate. Your time in Washington began when the people of Mississippi voted to send you to the House of Representatives, and you represented their interests in that Chamber from 1972 to 1978. Then you ran for and won the noble Senate seat.

THAD and I have found ourselves on two sides of the U.S. coin. He chairs the Appropriations Committee; I chair the Budget Committee. Even though he does the detail of spending the money and I work to set the parameters, I have always respected him and enjoyed working with him.

Former Senators have spoken highly of Senator COCHRAN. In fact, in 2007,

while congratulating THAD on his 10,000th vote, our good friend, the late Senator Ted Kennedy, said:

THAD and I don't always agree on policy matters—and more often than not we find ourselves on opposite sides of the issues—but those disagreements never diminished my respect for his thoughtfulness and nor do they diminish the friendship I feel toward him.

I think that is a pretty common refrain for somebody who is quiet and effective and perseveres through everything.

THAD is known to hold strong opinions, but that has never stopped him from developing a close working relationship with Members of both parties. Throughout his career, he has used his experience and mastery of the issues to persuade his colleagues, but he has done so privately rather than bashing in the media. This determined, yet respectful, approach to negotiations and his passion to find solutions to the problems and concerns of the people of Wyoming and America have led to his nickname, the "quiet persuader." He has been a great mentor to me. THAD has had a remarkable career, and his leadership will be dearly missed. He has inspired future leaders from his State, and in that way and so many others he has made a difference.

Diana joins me in sending our best wishes to you, to your wife Kay, and to the rest of your family, and our appreciation for your willingness to serve Mississippi and the Nation so faithfully and so long.

There are countless sayings about how politics isn't for anyone but the brave and the resilient. I think your experience, especially this past year, has shown that there is no challenge too large for you to overcome, and clearly you specialize in making the world a better place—and that is a win-win for us all, especially our children and our grandchildren.

I am sad to see you leave the Senate at the end of this month, but I wish you a well-deserved retirement and other adventures.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, I rise today, on this side of the aisle, to thank my friend Senator COCHRAN.

Yesterday, I made a longer speech in the CONGRESSIONAL RECORD, but I didn't want this moment to go by without tributes from both sides of the aisle while you are personally present on the floor.

My relationship with Senator COCHRAN was fortuitous. There used to be two giants in the Senate—Ted Stevens and Danny Inouye—and forever and ever they were the two, a Democrat and Republican—who were in charge of the Department of Defense Appropriations bill, and we bowed to their knowledge and wisdom. Then the day came when they were both gone, and the new people stepping in were THAD COCHRAN and DICK DURBIN.

I felt totally undeserving to be given that responsibility, and certainly could

never follow the act of Danny Inouye, as great as he was in serving our country, both in the military and the U.S. Senate, and THAD had the responsibility of following Ted Stevens as the Defense Committee chair.

While we both knew we were being held to high standards as people compared us, as they inevitably would, the thing we decided to do from the beginning was to do it together—to learn on the job and to work together. It really hearkens back to a Senate that I remember—and I am sure Senator SHELBY and others remember—when we first got here, when the Appropriations Committee assignments were really bipartisan assignments, start to finish.

My work on the Defense Subcommittee with THAD COCHRAN was bipartisan from the start. It always was. There was mutual respect. If I ever had an issue, I could go to him. He knew the same thing was true, if there was an issue related to his concerns or the State of Mississippi, he could come to me. We never ever set out to trouble or embarrass one another publicly. We tried to always have a good, positive working relationship. The very few disagreements we had were behind closed doors and usually resolved behind closed doors. It really was the Senate I was elected to and the one I miss today. We need more of it.

THAD COCHRAN, you made it easy when you were chairman of the Defense Committee for this ranking Democrat to be an active partner of yours in doing some important things. I think we accepted our responsibility and did our level best; I think our American national defense is stronger today because of it; and I am lucky because I had a good friend, good mentor, and good colleague by my side.

I wish you the very best. If you want a longer version of this speech, it was given in the RECORD yesterday, so you could take it home and read it, if you would like.

I thank you again for being such a great Senator, a great representative of your State of Mississippi, and a great colleague when it came to our appropriations work.

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

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

FAREWELL TO THE SENATE

Mr. COCHRAN. Mr. President, I appreciate the opportunity to express my deep gratitude for the honor given to me by the people of Mississippi to represent them in Washington.

I leave the Senate with confidence that our enduring Constitution guards our country from human error, empowers our citizens to achieve greatness, and shines as a beacon of freedom and liberty for the world.

I am optimistic about the future of our great Nation and in the U.S. Senate's role in determining that future.

While in Congress, I have served with nine Presidents during times of conflict and peace. We have debated policies from trade to terrorism. We have engaged in heated arguments. But even in full disagreement, I believe all our motivations begin at the same point: the sincere desire to serve our States and country.

No one remains in the House or Senate who was here when I first took office in January 1973, but I am particularly thankful for the friendship and leadership of the senior Senator from Vermont, Mr. LEAHY. He and I have fought side by side with each other and sometimes face to face against each other, always with friendship and respect.

I am also grateful to have served with honorable Senators from my State. My colleague, Senator WICKER, has been a friend and a strong and effective advocate for our State. We have worked together not only in the Senate, but also when he served as a U.S. Representative. Former Majority Leader Trent Lott continues to be a voice in our national conversation. And the late John C. Stennis provided a witness to integrity when I first joined this body. His signature is above my signature at this desk.

It is a tradition in the Senate, like schoolchildren used to do, to sign the drawers of our desks. Senator Stennis signed this desk drawer. He noted the beginning of his service in 1947 and added a dash. He never filled in the date signifying the end of his Senate service in 1989. Perhaps there is symbolism there, that our service does not end when we depart this Chamber.

I have been honored by this body to serve as chairman both of the Appropriations and Agriculture Committees. I am thankful to my colleagues, past and present, and to the committee staff for assisting in crafting responsible funding priorities for our country and for developing strategic agriculture policy to ensure the best use of our natural resources to provide affordable and healthy food for our citizens and people around the world.

I thank my talented and dedicated staff, many of whom have worked for many years in service to our country. All of us in this body know we could not achieve our priorities without exceptional staff. I have staff members who have served the Senate since my first term. I have one staff member, Doris Wagley, who was already in the office working the very first day I showed up for work in the House of Representatives in 1973. Whether they have been here for 45 years or a shorter tenure, I am grateful for their good assistance.

I ran my first Senate reelection campaign in 1984, largely on constituent service. I will always be proud of my State staff for their work on behalf of Mississippians. State staff help us keep

our promises to our veterans, find opportunities for small businesses, ensure the elderly or infirmed receive care, and cut through bureaucracy. I am sure members of your State staffs, like my staff, have hearts for their fellow citizens, regardless of their political affiliation.

All our citizens have the right to be heard and to have a voice in their government. I believe our job as their servants is not to tell others what to think or tell others what to do. Our job is to represent them. I have endeavored to do that the best way I possibly could; and now the time has come for me to pass the power granted by the people of Mississippi, the power of service, to someone else.

When John Sharp Williams of Mississippi left the Senate, he delivered a farewell speech at a dinner organized by the Mississippi Society of Washington. It is sometimes called the "Mockingbird Speech." While I do not share some of the cynicism of that speech, there are sentiments I can appreciate. Here is an excerpt of that speech given March 3, 1923:

I am going back to Yazoo City and to my old home on a rural free-delivery route. I want to get up again each morning as I hear the rooster's crow . . . and as night and the time for bed approaches, I will listen to the greatest chorus of voices that man ever heard, music that will charm me and make me ready for repose, the voices of my mockingbirds trilling in the trees. And in that way I want to live the rest of my life, and when the end comes, I hope to be carried out of the house by my neighbors and laid to rest among my people. Now, some may say that is not a very wonderful future, all of this I have mapped out for myself, but I say there is merit in calm retirement . . . Perhaps it is a sign that I ought to retire, for retirement brings repose, and repose allows a kindly judgment of all things.

I will now return to my beloved Mississippi and my family and friends there. I will miss this stately Chamber and this city. I will not miss this power or politics. I will miss people: you, my colleagues. I will treasure your courtesy and kindness. I trust, if your travels bring you to Oxford, MS, you will not hesitate to visit and join me for a refreshment on the porch. We can listen to the mockingbirds together.

Thank you.

Mr. SHELBY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO THAD COCHRAN

Mr. SULLIVAN. Mr. President, I wish to add my words to what we saw on the Senate floor here a couple of minutes ago. I had the honor of presiding over much of the ceremony recognizing Senator THAD COCHRAN's incredible service to Mississippi and to America. You

heard a lot. It was really remarkable—45 years in the Congress and four decades as a U.S. Senator. I think Senator LEAHY, from Vermont, said it best when he talked about THAD COCHRAN's integrity—a man who will always keep his word.

As Alaska's Senator, I also want to mention what a great friend he was to our State and to our Senators. Senator COCHRAN was very close to Senator Ted Stevens—the late Senator Ted Stevens—and to Frank Murkowski. He really supported our State—my State—and I want to thank him for that.

He has this great nickname that I think was given to him in 2006, when Time Magazine said he was one of the best U.S. Senators and called him the "quiet persuader." You heard that term a lot just a few minutes ago. In that article, they said that he had gained the trust of the administration and on Capitol Hill for his quiet, courtly manner, using his experience and mastery of the issues to persuade his colleagues privately rather than making demands of them in public.

It is a great example we can all learn from. I was proud to have been able to serve and learn from THAD COCHRAN for the last 3 years.

#### TRIBUTE TO CARLOS GOMEZ

Mr. President, one of the things I enjoy doing in my duties in the Senate is to come down each week to recognize somebody special in my State—somebody who has made a difference for their community, somebody who might not get the attention that people get in the press or in other areas but someone who has really made an impact. I like to call that person our Alaskan of the Week.

Right now what has been happening in Alaska is a very special time. Our State, in many ways, is shrouded with myth and mystique. We certainly have, I believe, the most beautiful State in the country. There is a lot of excitement that happens, a lot of special things. Just last week, we had 60 mushers who were being pulled by dog teams, dozens of dogs—these great athletes, as we call them—nearly 1,000 miles through some of the harshest landscapes and some of the harshest climates. We just finished the Iditarod, the last great race. We want to encourage people watching on TV and people in the Galleries to come on up to Alaska. You will love it. It will be the trip of a lifetime. Come see the Iditarod next year, the last great race. We just finished that.

It is a great time to be in Alaska. It is still winter, of course. It is time to ski and for snow machines. It is still cold, and there is lots of snow, but the sun is now coming out high in the sky. Of course, in Alaska, there is hockey. We love hockey. We all know it is a tough and competitive sport, but it certainly fits into the ethos of my State. All across the State, kids and adults play hockey—boys, girls, men, and women, in indoor and outdoor rinks, ponds, and lakes—and skate up and take to the ice.

However, as many parents who are involved in hockey know, gear can be very expensive. Actually, hockey can be very expensive. Many kids and adults can miss out on this great, great sport—a great sport in my State—because of the cost.

I would like to introduce you to Anchorage resident Carlos Gomez, who is our Alaskan of the Week. He has dedicated an extraordinary amount of his time and his life to try to make sure that all kids in my State—boys and girls from all walks of life—get to play hockey, like so many others do in Alaska, no matter if they can afford it or not.

Let me tell you about Mr. Carlos Gomez, because he is not one to brag about himself. Like most Alaskans of the Week, he is an unsung hero, doing so much for the community. His impact on hockey—particularly, for the youth of Alaska—is remarkable. In many ways, his story is truly a classic story of the American dream.

Carlos was born in California. When he was 10, he and his brother went to live with an aunt in San Diego. His wife Dalia was born in Colombia and then moved to Alaska, also with an aunt, when she was just 7 years old. Carlos received a scholarship from the University of California San Diego but had to drop out and cut his studies short because the strain of both going to school and providing for his family and contributing enough for his family was very difficult.

He ended up in Alaska in 1972 to work as an ironworker, where he helped to build our State. He built the Alaska pipeline during that time. It was a huge and exciting time in the State. He met his wife Dalia, as I mentioned, and they settled down in a modest home in Airport Heights, AK, and began to raise a family.

They had three wonderful kids. His daughters are Monica and Natalie, and his son is Scott. All of them are great, bright kids. One of them, Scott, who we in Alaska simply call Scotty—and I will get to that—had amazing athletic talents. When Scotty was just 4 years old, Carlos took him to his first hockey game. Scotty wanted to try it himself. Soon the young boy was hooked and wanted to play hockey as often as he could, and he was good. The problem was that although they weren't poor as a family, they didn't have the extra money for all the equipment and the expense that hockey requires. The Anchorage Boys & Girls Club had a program that loaned out hockey equipment and hockey gear. They helped to utilize that. As Scotty grew, he needed more equipment, and he stayed focused on hockey. Soon Carlos, our Alaskan of the Week, became so involved in youth hockey and had such a heart for the youth who wanted to play hockey in Alaska but had difficulty affording it that he became this master fundraiser throughout Alaska for the sport, not only for his son but for all the kids in the community who wanted to play hockey across the city.

Fast forward to 1998, and Scotty, his son, a 4-year-old playing hockey on ponds in Anchorage, is selected by the New Jersey Devils as their first-round draft choice—the first Latino ever drafted to be in the first round of the NHL draft. Scotty went on to become an all-star, Stanley Cup winner and a recipient of the Calder Memorial Trophy as the league's rookie of the year—all in his first NHL season. That is not bad for a little kid from Anchorage—all before he turned 21. He went on to win another Stanley Cup and later played for the New York Rangers, the Montreal Canadiens, the San Jose Sharks, the Florida Panthers, and the St. Louis Blues. He even chose to return home to Anchorage during the NHL lockout to play briefly for our very own Alaska Aces.

As you can imagine, Scotty is quite popular and well-known in Anchorage. He is admired by so many, and his father is as well. He could have stopped championing, as he has done for so many years, the sport of hockey at any point along the way, but what he did was that he kept doing this. He kept working. He kept encouraging young kids in Alaska to get on the ice to achieve their goals, just like his son did. So Carlos, Scotty, and the rest of the family set up the Scotty Gomez Foundation, which is devoted to that cause, and Carlos Gomez is still running it today. There are more kids like Scotty out there, Carlos said, and “we're going to give that kid an opportunity,” like my son had.

The foundation has done so much for youth hockey in Alaska. Thousands of kids across the State have access to gear and the ability to play this great sport that they otherwise wouldn't be able to afford. Around Anchorage's rinks, you will find the dark blue and gold gear—just like our Alaska flag—with a ram. It is the Gomez ram, and it helps kids, no matter their backgrounds or experience, get on the ice and play this great sport.

The foundation has put money into rehabbing rinks, like the one in East Anchorage, which is the neighborhood outdoor rink where Scotty learned to play hockey. When the Anchorage School District dropped the girls' high school hockey in the spring of 2013, the Scotty Gomez Foundation, under Carlos's leadership, stepped up, picked up the sport for 3 years, and redeveloped it into cooperatives across Anchorage's eight public high schools. Girls' hockey in Anchorage is alive today because of Carlos Gomez and his family. Also, in his never forgetting the generosity given to Scotty in his start in hockey, the foundation sponsors youth hockey events and grants for the Boys & Girls Club of Anchorage. That is really giving back to the community.

One of the Scotty Gomez Foundation's biggest events every year is the Last Frontier Pond Hockey Classic, which is organized by Carlos and his partner, Mike Davenport, in Big Lake. The event took place just two week-

ends ago, and it was quite an event. More than 600 hockey players showed up—kids, lawyers, doctors, slope workers, former pro and college players—men and women. Counting everybody, more than 1,000 people, from all walks of life, went to the event to raise money for youth hockey in Alaska.

It is amazing what one family can do to touch so many, led by Mr. Carlos Gomez. As Scotty said, “It was my father's dream to give back. This is all him. He always just wants to help others.”

If you are a kid in Alaska who wants to play hockey, Carlos Gomez will egg you on and make sure nothing, especially the cost of equipment, will stop you.

Scotty said:

When I was growing up, he was like a father to all of the neighborhood kids who needed one. My dad's a true hero.

I thank Mr. Carlos Gomez for all he has done for Alaska's youth and youth hockey throughout our great State. We are honored to call him our Alaskan of the Week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### MARCH FOR OUR LIVES

Mr. BROWN. Mr. President, this weekend, Americans around the country and at, at least, a dozen places in my State of Ohio will hold peaceful marches in their communities to demand that we in this body—the people who represent them—actually do something to protect them from gun violence, not just state that my thoughts and prayers are with the victims and the families but to actually do something.

That sort of activism is so important to our democracy. Change never starts in Washington. We make progress because of the grassroots movements of Americans across our country who demand action. For too long, Congress has ignored millions of Americans who want reasonable gun safety measures. Instead, this Congress continues to do the bidding of the gun lobbyists.

We already see activism making a difference. It is a minor step, but this week, in the bipartisan budget deal, we will vote to loosen government regulations that severely limit research on gun safety. It is an important first step, but we have a long way to go. We can't say we are doing what it takes to keep our country safe until we are finally willing to pass commonsense laws that protect all Americans from gun violence. Many of us have tried.

I supported the original Federal assault weapons ban in 1994 during my first term in Congress. I joined with many of my colleagues to vote to



renew it after the shooting at Sandy Hook. Weapons of war don't belong on our streets or in our classrooms.

We have tried to pass legislation to close loopholes in our background check system so the people who buy guns on the internet or at gun shows have to go through the same background checks as law-abiding gun owners who buy their guns at stores in Ohio.

After the tragedy at the Pulse nightclub in Orlando, we tried to pass legislation to prevent people on the terrorist watch list from buying guns. People can't believe the law in this country; that if you are on the government's terrorist watch list, you can't go to the Cleveland Hopkins International Airport in Cleveland, to the John Glenn Columbus International Airport in Columbus, or to the Ronald Reagan Washington National Airport in Washington and get on an airplane, which is the right thing, but that you can go out and buy a gun.

We know what happened each and every time. The gun lobby stood in the way. It stands in the way, despite the fact that the laws we are talking about will not undermine the rules and rights of law-abiding gun owners. I have always respected the rights of hunters and collectors and other law-abiding gun owners. No one is trying to take away their guns. Yet, when our students aren't safe in school, it is clear something has to be done. We will not give up on making our country safer. We will keep fighting until we get weapons of war out of our schools and off our streets.

Creating change in our country is not easy. It requires often going up against powerful special interests. It is how things happen in this country. It is how women got the right to vote. It is how we passed civil rights. It is how we passed workers' compensation. It is how we passed Medicare. It is how we got Social Security. People banded together—activists—around the country. They pushed their country and pushed their government at the State level, at the county level, at the courthouse, at the Capitol in Washington. They stood against powerful special interests and won on behalf of the public. From the Women's March to airport rallies, to the activism around the Affordable Care Act, last year, Americans proved over and over the power of activism.

The people I will be with on Saturday—my daughters, my wife, and probably three of our grandchildren—will join hundreds of thousands all over this country in fighting for these issues. The people who will be marching on Saturday are the ones we were elected to serve. We were not elected to serve special interest gun lobbyists. These activists give me hope for the future. I hope my colleagues in this body will listen to the activists, not to the lobbyists.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of the following nomination: Executive Calendar No. 619, the nomination of Richard Grenell to be Ambassador to Germany. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. MERKLEY. Mr. President, reserving the right to object, I cannot in good faith support a nominee who has a lengthy track record of tweets attacking both prominent Democratic women and prominent Republican women. Since his nomination, these tweets have continued, showing a complete disregard for the Senate confirmation process and a disregard for the seriousness of the position for which he has been nominated.

At the same time, Mr. Grenell has been dismissive of the importance of the threat Russia poses to U.S. democracy, and we certainly need to have U.S. Ambassadors who can work with our European allies and partners, now more than ever, to reinforce the strength of the institutions we have built to protect the rule of law and democracy and to defend our western democracies against Russian interference.

So with that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

GUN VIOLENCE

Mr. CASEY. Mr. President, I rise this afternoon to talk about an issue we have talked about a lot in Washington but frankly haven't done enough about, and that is gun violence. In the next number of hours—certainly all day Saturday—we are going have demonstrations across the country. Young people will be going into local communities, as well as coming to Washington, to march on behalf of those whose lives have been lost and to urge

us to take action. The exact name of the effort being undertaken is March for Our Lives. We have never seen on this issue—and maybe any other issue—this kind of intense activism that young people have undertaken across the country.

This march on Saturday, March for Our Lives, will be unprecedented in recent American history. I am going to be in the city of Philadelphia, and I know some people will be marching in Washington, as well as in communities across the country.

The focus of the work of young people across the country—starting with the students in Parkland, FL, but growing all across the country in these many weeks—will be taking action, demanding that the U.S. Senate, the U.S. House, and any other legislative body that can have an impact on this should take action. That is what they are demanding. I think there are a number of folks in Washington who have wanted to take action for years.

I hope, in response to that activism, in response to those marches, when we come back after our break—and I hope days and weeks after that—that there will be a response here in the Senate and that we will debate the issue or debate one amendment or one bill and then vote on it, and then take the next bill and vote on that, and keep going until we have a number of votes. It doesn't mean that we can be certain of the outcome. In my judgment, the reason to have a vote is to make sure that the American people see us debating this issue and voting on it.

Otherwise, to take no action, to simply say that there is nothing we can do about a uniquely American problem—the other option of course is to surrender, to say that gun violence is just part of American life, we have to get used to it, there is nothing we can do about it, and surrender to the problem. I think most Americans don't want to keep reading that number of deaths that pile up every year. At last count, there were 33,000 gun deaths in 1 year. I don't think many Americans want to settle for that. That is not the America I know. That is not the America most people know.

In America, we take action on tough issues. We tackle them or try to tackle them. We don't surrender to the problem. We don't surrender to one political point of view and say that paralysis leads to no solution. That is not American.

Back in December of 2012, when Sandy Hook Elementary School was the scene of the kind of horror and carnage that we have rarely seen in American history, there also was that predisposition to just move on and do nothing, to say there is nothing we can do. I was confronted with those questions that same weekend because I knew, in the months ahead, there would be a series of votes. There turned out to be a vote on background checks, a vote on the limitation of high-capacity magazines—in essence, how many

bullets can an individual shoot at any one time. That is the reason for the mass casualties. That is the reason we have so many people who die in school shootings or in movie theaters or in nightclubs or in so many other settings, and, most recently, in yet another school. The third vote, of course, was a vote to ban military-style assault weapons.

Knowing I would be facing those votes, which turned out to be in the early part of 2013, I had to ask myself a basic question, and I think this is a question a lot of Americans are asking at times like this: Is there nothing the most powerful country in the world, the most powerful country in the history of the human race, could do to at least reduce the likelihood that we will not have more mass shootings, we will not have more school shootings, we will not go year after year, after 33,000 people lost their lives from gunshot wounds—a number that is likely to grow if we don't take action. That is the choice: Do almost nothing, nothing itself, or take action. That is the fundamental choice we face. That is why we need votes and debates preceding those votes.

It is hard to comprehend that it has been half a decade—5 years—since we had a sustained debate on the floor of the U.S. Senate on gun violence. We have had intermittent debates. We have had limited discussions. We have had some speeches. I guess all of that is helpful, but we have had no sustained debate on one of the major issues facing the American people.

They don't expect us to solve this problem in a couple of days or weeks, but they do expect us to vote, and they expect us to debate. After 5 years, it is about time we had a sustained debate.

Many of us receive letters on a range of issues, depending on what the issue of the week is or the issue of the month is. I recently received mail in a form we don't see enough of anymore—postcards. These were written by students and individuals too young to even be referred to as students. Here is one that is only age 5. His name is Corey. He said in his note to me that he doesn't want to have guns in his school, and he wants me to do something about it. It goes on from there in the short note, and he attached some artwork in the back. That is what Corey said; he doesn't want to have guns in school.

Then there is Mason, who wrote to me and said:

I want to feel safe in school. There should not be guns in my school.

He goes on to talk about what he is worried about. He said: "I want to feel safe in school."

Then, finally, probably the one who summed up these issues the best was a young man by the name of Hayden. He wrote to me and said:

I am a 5th grader and I don't feel safe because it is too easy to get a gun permit. I should not know about this stuff. I don't feel safe.

Then he ended with this question: "Am I worth it?" Then Hayden asked again: "Am I worth it?" He asked that twice in a postcard where he is just writing a few sentences. Then he put a heart on the other side. In a few sentences, Hayden is summing up the challenge we face in the Senate and across the country. He said twice in the same letter: "I do not feel safe. . . . I don't feel safe"—something probably most people my age or in my generation, so to speak, never had to worry about.

We didn't think of going to school and being threatened by gun violence. There might have been anxiety in school, there might have been things we were worried about, but this wasn't one of them. This is new, and this was a uniquely American problem. No other country in the world faces this kind of a problem.

We have to ask ourselves if a young person in fifth grade doesn't feel safe because of these mass shootings, and mass shootings in school, and then asks us, "Am I worth it," every one of us in both parties should say: Of course, you are worth it, Hayden. Hayden is worth the effort to try to keep him safe in school.

If the answer to that question is yes, that he is worth us doing something about it, then you have to ask the question, What am I going to do about it? Are we just going to do what we usually do around here, just don't vote, don't have any sustained debate, and pretend it is not happening because there are forces out there that have a stranglehold on the process that say: You are not even allowed to vote, let alone debate and pass a bill.

There are forces out there that don't even want us to debate the issue, but I think we can do more to respond to Hayden's request and, of course, respond to what young people across the country are demanding.

You have young people who are not old enough to vote yet—and I am not just talking about Hayden and his postcard but all those young people who are coming to Washington and going to town squares in small towns and big cities to march for their lives. Many of them are not 18 years old yet. They can't vote, and they are leading the country, suggesting to us how to vote, demanding that we take action. It is rather ironic that this problem has gotten so bad that young people who still cannot cast a vote are asking us to do our jobs and to vote.

It is not difficult to vote in the U.S. Senate. Usually, you just have to be standing and put your hand up or thumb up or some indication to the individuals in the Senate who record those votes. It is not that difficult. It doesn't require a lot of exertion. It doesn't require a lot of energy. You just have to be on the floor, be standing, and say yes or no. If someone wants to vote against all these gun measures, if they want to vote against background checks and limitation on

the high-capacity magazines and still let what we have in American law now, which is a terrorist can get a gun in America—if you want to continue that, fine. That is your choice. That is your choice, but at least vote. At least have the sense of responsibility to vote on a tough issue.

We will have an opportunity to answer the postcard and answer the question Hayden asked—is he worth it? I think he is, and I think we ought to vote.

#### DEVELOPMENTAL DISABILITIES AWARENESS MONTH

Mr. President, I will be brief. I just want to note one of the recognitions of this month. I want to take a moment and remind everyone that March is Developmental Disabilities Awareness Month.

In 2011, the Centers for Disease Control and Prevention estimated that 14 percent of children in the United States have a developmental disability; that is, almost 10 million children. Developmental disabilities include autism, Down syndrome, cerebral palsy, learning disabilities, and many other congenital disabilities.

In the past, we took a rather paternalistic point of view with regard to people with developmental disabilities—taking care of them but not raising them up and fostering their skills and abilities. This was shortsighted on our part.

Today, with the help of such laws as the Individuals with Disabilities Education Act—we heard a lot about that referred to by its acronym, IDEA—the Americans with Disabilities Act, so-called ADA, and then my legislation from a couple of years ago, the ABLE Act, each of these pieces of legislation are breaking down barriers to encourage and support people with developmental and all types of disabilities.

People with developmental disabilities contribute numerous benefits to our society. In Pennsylvania, thousands of people with developmental disabilities are working in competitive, integrated jobs at such places as SAP, FedEx Ground, PNC Bank, Giant Eagle grocery stores, and many small businesses throughout the Commonwealth of Pennsylvania.

People with developmental disabilities make our lives richer and fuller. As we celebrate them, I pledge—I know this is a pledge many in the Senate make—to protect their rights and the rights of all people with disabilities to have equal access to all of our society.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### NOMINATIONS

Mr. BARRASSO. Mr. President, earlier this week, the Senate voted to confirm Kevin McAleenan to be the Commissioner of U.S. Customs and Border Protection. This is a national security job. It is the person in charge of making sure America has secure borders. He was approved unanimously by the Senate Finance Committee that voted on it before it came to the floor.

In spite of that unanimous vote, the Democrats in this body still delayed this nominee from taking office for as long as they could. They forced the majority to file cloture on it. We had the vote last week, then we had to wait to do it, spend the time, and in the end, 30 Democrats—the Democrats who demanded we hold a cloture vote, delay the vote—voted in favor of his confirmation. This had nothing to do with his qualifications for the office. They just wanted to delay and obstruct. That is what we are dealing with here.

Forcing a cloture vote on a non-controversial executive nominee used to be extremely rare—hardly ever happened. There were 15 people confirmed after a cloture vote at this point for the previous four Presidents combined. So if you take a look at the previous four Presidents—Obama, Clinton, both Bushes—a total of 15 votes were taken, requiring cloture in each of those Presidencies, total.

What about President Trump? Fifty people—50, 5-0—have been confirmed only after deliberate delay by the Democrats, forcing us to waste time on cloture votes. That doesn't even count people who were nominated to be judges. We are just talking about Presidential appointments in the executive branch. This delay is unproductive, and it is unprecedented.

Democrats are insisting on cloture votes because there is a Senate rule that allows for up to 30 hours of debate on Presidential nominees after we have had that vote. In reality, very little of this time is actually spent on debating the nominees or their credentials to serve in the office for which they have been nominated.

It is a pattern of ongoing obstruction the Democrats have been following since the very first day of the Trump administration. That is right. Since the very first day, Inauguration Day last year, Republicans wanted to vote on Mike Pompeo's nomination to be head of the Central Intelligence Agency, an important key position in any President's Cabinet, but we already had the debate in the Foreign Relations Committee. We could have had a debate on the floor that evening, but no. A small number of Democrats blocked it and forced us to have first a cloture vote and delay moving forward, delaying the process from day one—Inauguration Day—of the administration.

How much of the 30 hours did the Democrats actually spend debating this person's qualifications to be head of the CIA? Less than 2 hours. They wasted 30 hours of the whole time; only 2 hours was used in debate. That is how long the Democrats spent on this floor giving their reasons why they wanted to vote against the nominee. It had nothing to do with Mr. Pompeo; it was just so Democrats could waste 3 more days, allowing nothing else to happen, blocking other activities in the Senate. The rules allow the Democrats to stall, and they took full advantage of the rules.

It is time, in my opinion, to end this partisan spectacle. We have 78 more nominees for various jobs who have made it through their committee hearings and are waiting for a vote on this floor. Most of these people have bipartisan support. They can be and will be confirmed easily. The administration has to waste time to get their team in place. Democrats aren't using the rules for debate. They are not using the rules for deliberation. It is only for delay.

It wasn't and hasn't always been this way, and there is no reason it should continue this way. The Senate had a different standard for executive branch nominations a few years ago. In 2013 and 2014, the rules said that we would have a full 30 hours of debate only for Cabinet Secretaries; for all other executive branch Presidential appointees, only 8 hours of debate. But today we allow 30 hours on every nomination, and Democrats have shown that, in most cases, it is far too much time.

We need a fair debate on every nomination. The procedure from 2013 and 2014 was fair. The way Democrats are wasting time today to keep us from doing work is not fair. It is time to return to the rules for debating nominations that the Senate used 4 years ago.

The rules that we used in 2013 and 2014 were the result of a compromise. Democrats controlled the Senate at the time, and a Democrat was making the nominations; that was President Obama. Republicans agreed to a fair time limit on the amount of debate. There was a bipartisan group who worked on this compromise—four Republicans, four Democrats—and I was one of the four Republicans who were part of that group. Senator SCHUMER, who is now the Democratic leader, was part of that group as well. There was overwhelming support for these changes on both sides of the aisle. It is time to change the Senate rules and go back to that process that Senator SCHUMER supported in 2013 and in 2014 when Democrats were in the majority.

Today, Democrats deliberately delay in ways that limit us to a couple of nominations in a typical week. If we go back to the 2014 standard, we could clear multiple nominations in a single day.

We should have this process back in place by the time we take up Mike Pompeo's nomination to be Secretary of State when we get back in April.

The world is a dangerous place. We have serious concerns about Russia, Iran, China, and important trade issues that we need to be working on. The President will be meeting with North Korean leader Kim Jong Un. America needs to have a full slate of people helping the President on these issues, and we need them to be the correct, very talented people that a President needs.

We are fortunate to have Mike Pompeo as the likely nominee to be Secretary of State. He is the right person for the job. He knows the issues. He knows the people. He has the intel-

ligence. He has the integrity. He has the experience for the job.

We will be having confirmation hearings in the Foreign Relations Committee in April. Let's have a hearing, a fair debate, and then let's vote. Let's not have any of these continued stalling tactics and this pointless obstruction that Democrats have engaged in ever since the first day President Trump took office.

Mike Pompeo's nomination to be Secretary of State will still get 30 hours of debate, and after that, we will need to confirm a new CIA Director. Last year, we allowed 30 hours of debate on that nomination, and Democrats used only 2 of the 30. Under the compromise rules that I think we should return to, we would allow up to 8 hours of debate. It is clearly enough—more than most people would think would be needed.

We have more than 100 other qualified people who have been voted on and approved by the appropriate Senate committee, and they are waiting to do important jobs. With all of the threats that our country is facing around the world, it is time for Democrats in the Senate to stop wasting time and stop abusing the rules. It is time for Democrats to join Republicans and the President to do all we can to keep America prosperous, safe, and secure.

Thank you, Mr. President.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Washington.

#### OMNIBUS APPROPRIATIONS BILL

Ms. CANTWELL. Mr. President, I come to the floor to talk about H.R. 4851, legislation that just recently passed the Senate in the last hour or so. Hopefully it is on its way to final reconciliation with the House and hopefully will become law later today.

Before I talk about that, I want to take a second to recognize some provisions that are in the omnibus that we also are going to be voting on in the next few hours, two provisions that are very important to the Pacific Northwest—one, finally a fix on fire borrowing, which is so important to the entire Northwest but particularly in the State of Washington, which has seen the great impact of forest fires in the last several years. This will end the fire borrowing that we have seen that has prevented us from doing the kind of fuel reduction that we would like to see to protect our communities, and it will help us better manage with stewardship contracts and release the funds that should be going to recreation management within our forests.

This fire funding fix has been long in the making. I thank my colleagues, Senators WYDEN, RISCH, and CRAPO, for their hard work, and I thank Bryan Petit from my office, who has worked tirelessly on this as well. We are starting a new day in how we treat our forests and hopefully one that will reduce the risks to many communities.

I thank our colleagues for working so diligently on including a provision on

affordable housing. This is the first affordable housing increase in a decade. I want to thank specifically Senator SCHUMER and Senator MCCONNELL and Senator HATCH, my cosponsor on this legislation, for helping us get this done. This is not everything we would like to see in affordable housing, but certainly it is starting to point in the right direction.

I also thank Anna Taylor, Artie Mandel, Lara Muldoon, and Jay Khosla for working so diligently on trying to make the housing crisis something that we have to deal with here in the U.S. Senate. For us in the Pacific Northwest, the homelessness crisis, our returning veterans, our aging population, and workforce housing have become the No. 1 issue. For Seattle and the whole Northwest, starting to put more resources on the table to build affordable housing is the right direction, and we need it desperately now, and this legislation will help us.

KENNEDY-KING NATIONAL COMMEMORATIVE SITE  
BILL

Now, Mr. President, I come with my colleague Senator YOUNG—and I know Senator DONNELLY wishes he could join us—to talk about the legislation that Representative ANDRÉ CARSON has sent to the Senate and we just recently passed back to the House. This bill designates the Landmark for Peace Memorial, which is located in the Martin Luther King Jr. Park in Indianapolis, and it designates it as the Kennedy-King National Commemorative Site.

This legislation provides that this commemorative site shall be part of the African American Civil Rights Network that Congress established last December, and it will be only the second commemorative site in our beloved National Park System. The other designation went to Charleston, AR, the location of the first public school in the South to be fully integrated.

This national commemorative site, which will remain as part of a city park, is not going to be part of the National Park System, although I am happy to discuss that with my colleagues moving forward. The National Park Service is authorized to enter into cooperative agreements to help provide for education and interpretation of this site.

The Young-Donnelly amendment removes language in the bill authorizing the Park Service to conduct a special resource study and assess its potential for inclusion in the National Park System. I know my colleague Senator YOUNG is here on the floor, and I thank him for his leadership. I hope that some day he and I can continue, with Senator DONNELLY, to expand on this and revisit this issue. The original legislation passed unanimously out of the House of Representatives, and I know Senator YOUNG worked hard to clear the one objection, but I don't think that one objection should delay us from furthering our interest in this issue.

Mr. President, I ask unanimous consent to have printed in the RECORD the

full text of Robert F. Kennedy's speech in Indianapolis on April 4, 1968, the 50th anniversary coming up next week.

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

FULL TEXT OF ROBERT F. KENNEDY'S SPEECH:  
INDIANAPOLIS, APRIL 4, 1968

Ladies and Gentlemen,

I'm only going to talk to you just for a minute or so this evening, because I have some very sad news for all of you. Could you lower those signs, please? I have some very sad news for all of you, and, I think, sad news for all of our fellow citizens, and people who love peace all over the world; and that is that Martin Luther King was shot and was killed tonight in Memphis, Tennessee.

Martin Luther King dedicated his life to love and to justice between fellow human beings. He died in the cause of that effort. In this difficult day, in this difficult time for the United States, it's perhaps well to ask what kind of a nation we are and what direction we want to move in.

For those of you who are black considering the evidence evidently is that there were white people who were responsible you can be filled with bitterness, and with hatred, and a desire for revenge.

We can move in that direction as a country, in greater polarization black people amongst blacks, and white amongst whites, filled with hatred toward one another.

Or we can make an effort, as Martin Luther King did, to understand, and to comprehend, and replace that violence, that stain of bloodshed that has spread across our land, with an effort to understand, compassion, and love.

For those of you who are black and are tempted to fill with hatred and mistrust of the injustice of such an act, against all white people, I would only say that I can also feel in my own heart the same kind of feeling. I had a member of my family killed, but he was killed by a white man.

But we have to make an effort in the United States. We have to make an effort to understand, to get beyond, or go beyond these rather difficult times.

My favorite poet was Aeschylus. And he once wrote:

Even in our sleep, pain which cannot forget falls drop by drop upon the heart, until, in our own despair, against our will, comes wisdom through the awful grace of God.

What we need in the United States is not division;

what we need in the United States is not hatred;

what we need in the United States is not violence and lawlessness, but is love, and wisdom, and compassion toward one another, and a feeling of justice toward those who still suffer within our country, whether they be white or whether they be black.

So I ask you tonight to return home, to say a prayer for the family of Martin Luther King, yeah, it's true but more importantly to say a prayer for our own country, which all of us love a prayer for understanding and that compassion of which I spoke.

We can do well in this country. We will have difficult times. We've had difficult times in the past, but we and we will have difficult times in the future. It is not the end of violence; it is not the end of lawlessness; and it's not the end of disorder.

But the vast majority of white people and the vast majority of black people in this country want to live together, want to improve the quality of our life, and want justice for all human beings that abide in our land.

And let's dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of this world. Let us dedicate ourselves to that, and say a prayer for our country and for our people.

Thank you very much.

Ms. CANTWELL. Mr. President, some days we need a reminder of what perspective in the face of crisis really accomplishes. We know that 50 years after this historic speech, we have an understanding about how incredibly magnificent this moment was, so I am so glad to join my colleague in commemorating it. It was about holding the consciousness of a society and how to respond to an unbelievable, tragic, violent event and to hold the consciousness of a society with words—just words. And that is the point—that words matter; that words matter to a society. They are what holds us together. They are what creates unity. They are what creates perspective. In this case, they also created history.

Senator Kennedy spoke to a crowd in Indianapolis and announced the death of Martin Luther King—an unbelievable responsibility. If you watch now in videos of the speech, you will hear the gasps of the audience, who was unaware that that event, in that moment, had taken place. Yet he spoke to the crowd about why violence and retribution should not be pursued. He created calm among chaos. He created a moment where everybody realized that they were commemorating the life of Dr. Martin Luther King, that his life had been about a nonviolent response to tragedy and to the challenges we face.

When we commemorate this moment with this designation, we are commemorating a moment, in my opinion, of the human spirit. We are commemorating a moment—the incredible pain Robert Kennedy must have felt, knowing that Martin Luther King had just been assassinated. Yet he spoke to the crowd about keeping the peace and remembering the lessons of Dr. King.

We will never know what kind of Presidency RFK might have given our Nation, but we know this from his speech: We know what kind of man he was, and we know what kind of human spirit and soul can communicate, in that moment of tragedy, the direction of a nation.

It is so important at this moment in our history that we reflect on this 50th anniversary. At a time when it is better to use words to speak calmly and competently in the face of tragedy, I hope that here in Washington, we will remember one of the greatest political speeches of all time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, earlier today, the Senate passed the Kennedy-King National Commemorative Site Act—an effort that I was pleased to lead here in the Senate, alongside my colleague Senator DONNELLY. This important legislation commemorates the

Landmark for Peace Memorial in Indianapolis and establishes the site as part of the African American Civil Rights Network. The act would not have passed without the support of both Chairman MURKOWSKI and Ranking Member CANTWELL, and I thank both of them and their hard-working staffs for their assistance in this effort.

I also extend my sincere gratitude to Representative BROOKS, Senator DONNELLY, and Representative CARSON for working with me to pass this measure that recognizes a significant moment in Indiana's and our Nation's history.

Two weeks from now, on April 4, the city of Indianapolis will commemorate the 50th anniversary of Senator Robert F. Kennedy's timeless speech in the Circle City. On that fateful evening in 1968, Senator Kennedy was scheduled to be in Indianapolis for a campaign event. As Senator Kennedy arrived in Indianapolis late that evening, he learned of the tragic death of Martin Luther King, Jr., in Memphis, TN. Senator Kennedy decided to speak to the assembled Hoosiers who had come to see him and inform them of the tragic news of King's death. He confirmed the terrible rumors that many were beginning to hear that evening in the course of his words.

Cities throughout America were erupting in riots, in many instances, as they learned of Martin Luther King, Jr.'s assassination. However, in Indianapolis, Senator Kennedy spoke to the grief-stricken crowd, and he inspired them. He inspired them to replace the hatred they felt with compassion and love. To this day, Hoosiers warmly remember Senator Kennedy's moving speech, and we recognize his heartfelt words as a reason why Indianapolis remained calm and peaceful while riots swept much of the Nation.

I wish to close today with a quote from Senator Kennedy's speech—powerful words that still ring true 50 years after he uttered them. These words will forever mark Senator Kennedy's grave in Arlington National Cemetery:

What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence and lawlessness; but love and wisdom, and compassion toward one another, and a feeling of justice toward those who still suffer within our country, whether they be white or whether they be black.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from Maine will arrive in just a moment, and I ask unanimous consent for up to an hour for us and Senator GRAHAM and Senator ROUNDS to address the Senate within that hour—the four of us, and others who wish—to speak on the health insurance issue within that hour.

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

#### HEALTH INSURANCE

Mr. ALEXANDER. Mr. President, I am here today to talk about the

plumber making \$60,000 whose health insurance is \$20,000 and he pays for all of it and about the fact that the bill we are about to vote on today could have had in it bipartisan legislation—supported by the President of the United States, the majority leader, and the Speaker of the House—that would have reduced that plumber's health insurance bill from \$12,000 to \$8,000, according to the Oliver Wyman health consulting experts, who have evaluated the bipartisan legislation that we have proposed.

The only reason it doesn't have that in there is because Democrats have objected to putting on this bill we are voting on today the traditional Hyde amendment that governs how dollars are spent when an abortion is involved. The traditional Hyde amendment is a compromise that has been on every appropriations bill—and this is an appropriations bill—since 1976 and that Democrats have voted for hundreds of times and Republicans have voted for hundreds of times. On this very bill that we are voting on today, more than 100 times the Hyde language applies to other programs.

So Democrats are scrambling and embarrassed, coming up with excuse after excuse, trying to explain to the self-employed businessperson—the farmer, the songwriter, the plumber—who might be making \$60,000 or \$70,000 and paying \$20,000 for their insurance, and paying it all, with no government subsidy—why they are blocking a 40-percent reduction in their health insurance and why they will not apply the Hyde language to the health insurance rate reduction and they will apply it to 100 other programs. Not just in past voting but today, every single Democrat today who votes for the omnibus bill will be voting to apply the Hyde language restricting abortion to at least 100 other programs.

For example, how will they explain this to the plumber, the farmer, and the self-employed businesswoman: I will apply the Hyde language and restrict Federal funding for abortions to the National Institutes of Health but not to reduce your health insurance rates by 40 percent. I will apply the Hyde language to community health centers today, but I am going to block the bipartisan proposal to reduce your health insurance by 40 percent that is supported by the President, the majority leader, and the Speaker of the House. I will vote today to apply the Hyde language to the Federal Employment Health Benefits Program, which provides health insurance to 3 million or so employees, but I will not vote for a health insurance program to reduce your rates by 40 percent because I will not apply the Hyde language to it?

How are they going to explain today and next October, when the insurance rates are announced for 2019, 2020, and 2021, that they had an opportunity in March of this year to reduce rates in 2019, 2020, and 2021 by 40 percent and they refused to do it because they said:

We will not apply the traditional Hyde language to health insurance, even though we are going to apply it to the Indian health programs, to the VA, to women's medical care, to global health programs, to the Ryan White HIV/AIDS program—to 100 programs that Democrats will be voting on today to apply the Hyde language to. They will do that, but they are going to block bipartisan legislation—supported by the President, the majority leader, and the Speaker—that will reduce the health insurance rates of the plumber making \$60,000 from \$20,000 to \$12,000?

I want to speak about that plumber. I want to speak ahead to October 1, when the rates for 2019 are announced. I want to talk about Marty, the farmer in Tennessee who I met at the Chick-fil-A, who came up to me and said: I was paying \$300 a month for my health insurance, and over the last 5 years it has gone up to \$1,300, and I can't afford it.

I said: I have a Christmas present for you. Then, I thought I had a Valentine card for it. Then, I thought I had an Easter present for it, because we got bipartisan legislation, supported by the President, the majority leader, and the Speaker. I said: We can put that in the omnibus bill, we can pass it by the end of March, and we can reduce your rates.

There are 9 million Americans who don't get insurance on the job. They don't get insurance from the government. They buy it themselves. They are hardworking Americans. They are the plumber, the farmer, the small businessperson. They are making \$60,000, \$70,000, \$80,000, \$90,000 a year. Their insurance bills are \$15,000, \$20,000, \$25,000 a year. They are rapidly approaching a point, if they haven't already, that they have to go without insurance because they can't afford it, and we have a way to do something about that.

It is happening in my State of Tennessee. Rates went up another 57 percent last year for those people. That is thousands of dollars. Yet we could have today reduced their rates by thousands of dollars. Here is how:

We have developed two bipartisan bills, beginning in the fall. Our committee—the Health, Education, Labor and Pensions Committee—held four hearings. We had roundtables to which we invited all the Senators. Senator MURRAY, the ranking Democrat, and I presided over this.

We talked about all of the issues and tried to see what we could do, and we came up with what we call the Alexander-Murray bill. It had two parts to it. The first part was regulatory reform. We took something already in the Affordable Care Act—the 1332 innovation waivers—and we made it possible for States to streamline it and use it.

We also added a few other things. We changed the law so that Minnesota and New York could use the basic health plan and could tap into the subsidies in the way that those States wanted to do

it. That is \$130 million a year in Minnesota and \$1 billion in New York. Democrats are blocking that today—\$130 million in Minnesota and \$1 billion in New York, and Democrats are saying no to that today. Why? Because they will not apply the Hyde language to the health insurance rate decrease, even though they are going to vote to apply it to 100 other pieces of legislation in this very bill.

We did the regulatory reform, and then we did something many Republicans didn't want to do and the President didn't want to do to start with. We extended the cost-sharing subsidy payments for 3 more years. These are payments to reduce rates for low-income people on their copays and deductibles. We agreed to do that.

Then, Senator COLLINS and Senator NELSON, a Republican and a Democrat, came up with a plan—the House did, too, with Representative COSTELLO—to add reinsurance. Reinsurance is something about which, in our hearings and in our meetings, virtually every Senator in both parties said: We really need to do that, because the reason the individual market is in such trouble is that it has so many of the sickest Americans in it and they are soaking up all the money.

The reinsurance program that we suggested and have in Senator COLLINS and Senator NELSON's bill—3 years, \$10 billion a year—would give States funds as well as planning money to set up those invisible risk pools, those reinsurance programs, that were meant for the sickest Americans to have their needs taken care of, and you lower the rates for everybody else.

So we have regulatory reform, 3 years of cost-sharing subsidies, 3 years of reinsurance, \$10 billion a year. The Congressional Budget Office says: If you score it based on real spending, it actually saves the government money by reducing the premiums that taxpayers have to pay for—a \$1 billion advantage for New York for each of the next 3 years, \$130 million for Minnesota for each of the next 3 years. We fix the problem in New Hampshire, to allow both Democratic Senators and the Republican Governor to say: Please do this; we want to be able to mix our ObamaCare and Medicaid savings.

We said: Yes, you can do that, and so can every State.

Within the Affordable Care Act, we did what Democrats have been saying to do ever since we couldn't repeal and replace it last August and said: We will work with you to fix it.

The part that needs fixing is the part causing the plumber who makes \$60,000 to pay \$20,000 for his health insurance, and we have a way to fix it—to reduce it by 40 percent, according to Oliver Wyman consulting; by 20 percent, according to the Congressional Budget Office. Yet the Democrats are blocking it today because they will not apply the traditional Hyde language that they voted for every single year since 1976 in the omnibus bill and that they

will be voting on today for 100-plus times.

How do you explain that to the plumber? How do you explain that to the farmer? How do you explain that to the 9 million Americans who see their health insurance rates going through the roof?

Let's not make any mistake about who is doing this. We are big boys and girls in the Senate. When we take a stand, we ought to admit it. What the Democrats are doing is they are blocking a 40-percent rate decrease for one single reason—one single reason. The President of the United States supports it, the Speaker supports it, the majority leader supports it, and we are ready to put it in the bill, and they say no.

Let's look down the road to October. All of the insurance companies will announce their rates for 2019, and we will be looking ahead to 2020 and 2021. Rates will be going up instead of going down. The farmer, the self-employed person, the songwriter are going to be saying: How am I going to be able to afford this?

Nothing is more important to Americans than healthcare. Nothing is more frightening to Americans than the prospect of not being able to afford to buy healthcare. That is what we are doing here.

I am disappointed by this. I have spent hundreds of hours on this since September. We had a piece of legislation introduced on this floor by 12 Republicans and 12 Democrats that the Democratic leader said every single Democrat would vote for and the national Democratic chairman said was great bipartisan legislation. That is two-thirds of our bill.

What is the other third? The other third is the Collins-Nelson bill, which adds \$10 billion a year for reinsurance. The Governors like this. The State insurance commissioners like this. The plumber and the songwriter like it. Who doesn't like it? A few Democrats who are saying that the Hyde language, which says—let's be specific about what it says—you can't use Federal funds for elective abortions, but you may use any other funds. That is exactly the law that we have in our bill.

The Hyde language is in the bill we are going to be voting on later today. It was put there in 1976. It is adopted year after year. It is on page 1036, if anybody wants to look it up. Then, there is language in the bill that we are going to be voting on today restricting Federal employee health benefits with Hyde-like language, which is on page 588. You will be voting for it today. Then, there is the title X family planning legislation. That is in the bill you are going to be voting for, as well, today. That is Hyde language. Then, there is the Mexico City legislation. You are going to vote for that today.

But you are going to tell the farmer, the songwriter, and the employer that they are not allowed to have a 40-percent health insurance decrease. They

are going to have to not be able to afford health insurance for their family. As to Federal funding for the DC government, you are going to vote for that today. Using funds for elective abortions is restricted in the bill that we are voting on today.

Senator COLLINS from Maine is here, and the Senator from South Carolina is here. They have worked hard on this. We are a group of Senators who I think are fairly, usually seen as trying to get results around here. We are greatly disappointed by this—not just for this institution but for the people we serve because the hard, simple fact is that we have legislation that could be in this bill that will reduce your health insurance rates by 40 percent starting in 2019 and continuing for the next 2 years, until it gets up to 40.

We have the support of the President. We have the support of the Speaker. We have the support of the majority leader. But the Democratic leader says: You can't have it in the bill. We are going to vote 100 times to apply the Hyde language to everything from the National Institutes of Health to community health centers, but we are not going to let you reduce healthcare rates.

That is why Democrats are scrambling, coming up with excuse after excuse. They are going to have to really come up with scrambling and excuse after excuse on October 1, when the rates are announced.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I will be very brief. The first thing I want to do is to thank Senators ALEXANDER and COLLINS for trying to work very hard to solve a problem that we can fix. There are a lot of things about healthcare that I don't see us fixing between now and tomorrow. This is not one of them. Healthcare is very complex. It is one-fifth of the economy. I think there is a better way to do healthcare than ObamaCare. Most Republicans want to replace it. Most Democrats want to repair it.

We are not talking about that. We are talking about an island of agreement that will matter between now and October—what Senator ALEXANDER and MURRAY came up with. You had bipartisan support. There are two provisions that allow flexibility in terms of the 1332 regulations and to continue payments to make sure that person who makes too much for a subsidy but not enough to be self-sufficient when it comes to healthcare gets a little bit of help. That is the plumber and the other people that Senator ALEXANDER described.

President Obama took care of these people through Executive action. That has been found to be unconstitutional by our courts. Legislatively, we are trying to continue this program to help somebody whose premiums are going

through the roof but who are not eligible for the statutory subsidies and create a new level of help that will keep their premiums from skyrocketing and actually decrease their premiums in October by 40 percent.

There are a lot of things we can agree on, and there are a lot of things we can accomplish when it comes to healthcare, but this is not one of them. I can only imagine how these two Senators feel.

Senator COLLINS, working with Senator NELSON from Florida, added a third provision to the Alexander-Murray concept that makes eminent sense. I doubt if there is one Governor in the country who would oppose what Senator COLLINS is trying to do—to allow States to petition for Federal funding to help the States deal with the sickest people in that State by coming up with innovative, high-risk pools and allowing States to experiment with what works best for the sickest people in their State by accessing Federal funding. You can't spend it on roads and bridges, but you can use it for the high-risk population, the people who drive the most cost. I doubt if there is any Governor in the country who would say that this is a bad idea.

Senator NELSON thinks it is a good idea. Our most conservative Members in the House think it is a good idea. We have taken Alexander-Murray and added a third component that I think is an excellent idea. When you combine the three things, you can lower the cost by 40 percent for that self-insured person who makes over \$45,000 and lower their premiums by 40 percent by October.

It matters a lot to the people described, and there are millions of these people who will not get a 40-percent reduction. They are going to get a 10-percent or a 20-percent increase, and already they are paying about 25 to 30 percent of their income just for healthcare. It is mind-boggling that we are where we are.

I will just add this and turn it over to Senator ROUNDS. How did we get here? I think the desire to control the House and take back the Senate is overwhelmingly good policy. Somebody on the other side believes that if we can block this proposal—the Collins-Nelson-proposal, the Alexander-Murray proposal—if we can keep that from becoming law, these premium increases that are surely to come will fall upon the Republican Party and will give us yet another tool to take back the House and regain the majority in the Senate. The reason I say that is because I have come to believe that there is no other explanation, and that is sad. That to me is a real dropping of the Democratic Party in terms of the role they play around here.

We work together where we can. Sometimes we are wrong; sometimes they are right. Sometimes it is the other way around. But this is the one occasion where we seem to have been right up until now.

Why is it not in the omnibus bill? Because of Democratic objections. Last Saturday, we spent an hour on the phone with the President of the United States—Senator COLLINS, Senator ALEXANDER, myself, and Congressman WALDEN—talking about this proposal, about how it would lower premiums, how it is good policy, and how this is the right way to continue to help the people in question. At the end of the hour discussion, the President said: Count me in. I want to help. I agree to the concept. What would you like me to do?

It never crossed our minds to call a Democrat. Our concern was the House. We needed the President to call Speaker RYAN. Senator MCCONNELL was enthusiastic for this. We honestly believed that the problem would be in the House, with our Freedom Caucus friends. We asked the President to call the Speaker of the House, and KEVIN MCCARTHY, and he did. The Speaker told him: We are for it.

I thought: home run.

Between last Saturday and now, what happened is that NANCY PELOSI, the minority leader in the House, and Senate Democrats have objected to this proposal, and the rationale is abortion. The language that is in law is exactly the same language that would apply to this legislation. The Stupak language applying to the Affordable Care Act, dealing with Federal funds and abortion, is still the law of the land. But under the omnibus approach, we are going to run the subsidies through the Labor-HHS bill, where Hyde protection would apply—no more, no less than any other Federal dollar dealing with healthcare.

Senator ALEXANDER has done a very good service to the body. In the bill that we will vote on soon, there are over 100 applications of the Hyde language to healthcare spending at the Federal level. Apparently, these dollars don't make the cut. Why? They know that if we don't get this relief in March, in October premiums are going to go up, and they are literally making up a phony excuse based on Hyde protections. The reason I know it is phony is that, if they really believe what they are saying about Hyde language, they wouldn't vote for this bill at all because every other Federal dollar runs through the same system we are proposing this go through. If you really cared about the abortion issue the way you claim, you could not support this bill or any other piece of legislation that has been around since 1976.

Clearly, the Hyde problem is not much of a problem when it comes to every other Federal healthcare dollar. It is only a problem here. The only reason it is a problem here is that you don't want us, as Republicans, working with you to fix a problem that needs to be fixed because you are thinking of October in terms of your political future. You are not thinking of October in terms of people.

Here is what I hope happens to you. I hope you lose votes. We have our prob-

lems on our side. We will probably pay a price come November about some of the things we have done wrong. All I can say to my Democratic colleagues is this: The reason you are stopping this provision from becoming law is that you think it gives you a political advantage in November because of premium increases in October. This is exactly why the American people hate politics so much.

I want to be on record in March as being a Member of the Senate who works with the other side when I can, surrounded by people on my side of the aisle who are historically seen as centrists when it comes to trying to solve problems. There is nobody on this floor who has a reputation of being an ideologue. Senator COLLINS is a pro-choice Republican, and she is OK with sending these dollars through Hyde protections because they have been around so long. LISA MURKOWSKI is a pro-choice Republican. She was with us yesterday, saying that she is dumbfounded about this argument about abortion.

So play the tape later on. When the premiums go up 10 to 20 percent for hard-working people and there is a debate about why that happened, I want somebody to play this tape, because we have 24 hours to stop that.

Every expert who has looked at this says the following: If you do Alexander-Murray-Collins-Nelson, you will prevent a premium increase of 10 to 20 percent, and you will lower premiums in the next couple of years by up to 40 percent. I don't know what the day is. It is some day in March, but I have lost track of what day it is. Yet I am here to say, when that debate comes about in October, I want you to play this tape. We had a chance today to fix this problem, and the only reason we are not going to do it is due to our Democratic colleagues' decision to play politics with this issue rather than to solve the problem.

The President of the United States is for this. The majority leader of the U.S. Senate is for this. The Speaker of the House is for this. Every Republican leader is for this. The Senators on the floor who work with Democrats are for this. We are urging our colleagues, before it is too late, to change their minds and get this into an omnibus in a fashion so as to lower premiums, not to sit on the sidelines and watch them go up. So, when the debate happens in October, play this tape.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, first of all, let me offer my thanks to Senator ALEXANDER and Senator COLLINS, and let me add my support for what Senator GRAHAM has just indicated in terms of the importance of this particular amendment to the omnibus bill.

Look, I am a pro-life Republican. By allowing the Hyde amendment to prevail in this particular case, as it does with all of the other funding that we send back to the States so that it cannot be used to fund abortions—and that

is what this is all about—it allows us to still continue to provide, with clear consciences, the dollars necessary to provide healthcare for individuals who otherwise may not get it.

This particular proposal allows for States to, once again, take charge of part of the healthcare that we want to see delivered at the local level. By taking section 1332 and expanding what States can do, we actually provide more local control, which is a conservative approach. It is also one more opportunity to reduce the impact of what many of us have said was a mistake with ObamaCare in the first place.

For conservatives, a lot of us campaigned on the fact that we wanted to repeal and replace ObamaCare. To repeal it and replace it, you have to have 60 votes here. In this particular case, what we have said is: Let's take those parts that are the most onerous and those parts that are adding to the cost of healthcare and take those out, but let's provide and continue to provide the protections that some people feel ObamaCare was responsible for, such as guaranteed renewable products, which were included in South Dakota's law before ObamaCare ever came along, and the opportunity for everybody to apply for a policy and to be accepted one way or another.

This particular piece of legislation allows for, perhaps, as many as 3.2 million Americans to actually be able to afford the policies that, today, they can't afford. I believe Senator ALEXANDER used the example of someone who is making \$60,000 a year and has a bill of \$20,000 for his healthcare. The reality is that that person is not buying healthcare. So let's allow those folks the opportunity to have a reduction in the premiums that they otherwise could not afford to pay.

This allows for the States, on a very responsible basis, to do what Senator COLLINS, as a former insurance commissioner, understands so clearly. What we have done with ObamaCare is to force individuals who have no place else to go into what we call the individual market. When we force all—or the vast majority—of the individuals who have health problems into the individual market to get coverage, it artificially drives up the cost of that individual policy. That individual market makes up 6 percent of the total number of the people who are covered, but that 6 percent of the premium going in picks up an unfairly large number of individuals who have no place else to go to get insurance. That drives the cost of the premiums up for those individuals and makes it, in many cases, more costly than they could ever afford.

With a reinsurance provision for the States, it allows for a State to say: Look, issue the policies, but then allow us to expand the base over which we spread those losses. Let those States do that. This worked successfully before ObamaCare was ever a bad dream. This allows for us to take a larger base of

people to share and to spread that risk. When you do that, you make that market more stable, and you start to invite carriers to step back into the market. That is what this is all about.

I am not going to try to assign the intention of our colleagues who are on the other side of the aisle. I am a pragmatist. I really do believe that we have some very sincere colleagues on the other side of the aisle who understand how important this is.

What I would invite is this: I am a conservative Republican. I want to see this move forward. I think, for the good of the American people, this is the right move to make. I would ask our colleagues on the other side of the aisle to consider the good this would do for people across this entire country and to find a way to work through this process in such a fashion that they could comfortably come forward and help us to get this to the finish line.

If we can do this, we will make things better not just for those 3.2 million Americans who would be able to qualify for insurance once again and be able to pay for it, but we honestly believe—and it is the Congressional Budget Office that has suggested this—that somewhere between 20 percent of the premiums they would otherwise pay would solidly be reduced. In some cases, according to healthcare professionals in the private market—these are the people who actually suggest and work with the insurance companies—as much as 40 percent of that total cost could be reduced.

This is not a partisan issue. This is a matter of trying to actually make an impact on the lives of real Americans who need our help. Remember that the American people did not ask for ObamaCare, but they are the ones who are suffering because of the premium increases that have been caused by this law in the first place.

What we are trying to do in what is, hopefully, an acceptable fashion is to find colleagues on the other side of the aisle who will once again join us in this legislation that they had previously supported—for them to find a way to step forward—and actually help fix a problem for real Americans.

Once again, I thank the Senator from Tennessee for all of the hard work he has done. As a former Governor, he understands that, once in a while, you reach across the aisle, and you find ways to get things done. In the Senate, it requires 60 votes to make this happen.

I thank Senator COLLINS for her work. She is a former insurance commissioner. She gets it. She understands it.

We want to find the common ground that it takes to actually fix a problem for the American people. This is not and should not be a partisan issue—fixing a problem that we all agree exists today.

I thank the Presiding Officer. I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 30 minutes.

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

Ms. COLLINS. Mr. President, we have the opportunity today to take immediate action to lower the cost of health insurance by as much as 40 percent and to increase the affordability of insurance for millions of Americans who purchase plans in the individual market.

I commend Senator ALEXANDER, the chairman of the Senate Health, Education, Labor, and Pensions Committee, for his extraordinary leadership and hard work in this area.

I am also very pleased with the work that has been done by Representative GREG WALDEN, the chairman of the House Energy and Commerce Committee, and Representative COSTELLO.

We have come together, along with a substantial number of our colleagues, including Senators GRAHAM, ROUNDS, ISAKSON, and MURKOWSKI, among many others, on this very important insurance stabilization and rate reduction package.

Let me begin by outlining the major provisions of what it is that we are proposing, because there has been, unfortunately, a lot of misunderstanding and, dare I say, misinformation.

First, our legislation, based on the Alexander-Murray bill, would fund the cost-sharing reduction subsidies for 3 years. These are vital for Americans who have incomes that are below 250 percent of the poverty level. CSRs provide government assistance to help them pay for their deductibles and their copays.

Second, our proposal also improves the ability of the States to take further steps to lower insurance premiums for their citizens. We provide meaningful flexibility for States by revising section 1332 of the Affordable Care Act, which authorizes State innovation waivers.

Third, based on a bill that I authored with Senator BILL NELSON, our proposal provides a total of \$30 billion over 3 years for States to have reinsurance, or invisible high-risk pools, by applying for a waiver under the section 1332 program I just mentioned.

As I know the Presiding Officer well knows, reinsurance is a proven method for dealing with high-risk, expensive claims. It reduces uncertainty and has benefits not only for those who have preexisting conditions and need expensive healthcare but for the entire individual market, and it has been proven to work in States like Maine and Alaska.

We have also included \$500 million to assist States with the planning of the designs of their own reinsurance, or invisible high-risk pools. In the House, the Costello bill also had a Federal fallback in recognizing that we were late in the year and that we wanted to provide help immediately, which we have included for 2019, to give States



time to apply for waivers under section 1332.

What does our bill not do?

Our proposal does not change the Affordable Care Act's essential benefit requirements. It does not change the guarantee that an individual will be able to buy insurance. It does not change the protections for people with preexisting conditions. Yet it ensures that the Federal funding directly benefits consumers and not insurance companies.

In considering this plan, Congress faces a fundamental question: Do we want to take action to significantly reduce the cost of health insurance for millions of Americans or are we just going to sit back, say no, and let this opportunity pass us by?

Time is short. If Congress fails to act, insurance rates in the individual market will skyrocket this fall. This will directly harm the 9 million Americans who pay for their own insurance without government or employer assistance. That is, for example, the fisherman in my State who is self-employed, the electrician, the plumber, the carpenter—there are so many—the hair stylist. They are already paying far too much for their healthcare costs. Well, all of them will be facing another double-digit premium increase if they are to be insured, and rates can only be expected to continue to climb.

Healthcare premiums are already too expensive under the Affordable Care Act. That is one of the problems with the Affordable Care Act that I have been committed to fixing. Last year, the average price of the Affordable Care Act silver plans, which are the most popular plans, increased on average by 34 percent. A growing number of counties in our country are at risk of having no insurers or only one insurer, leaving hard-working individuals with few or no choices for health insurance coverage. Inaction will only exacerbate the premium spikes and the market instability we have already experienced.

When our country is confronted with such a serious problem—I mean, what is more important to people than healthcare?—Americans expect us to come together. They expect us to work constructively. They expect us to provide real relief from the rising cost of health insurance, which makes health insurance unaffordable for far too many Americans, and that is precisely what our plan would do.

Let me be crystal clear. Our proposal is the last opportunity—the last opportunity—to prevent these rate increases that will go into effect, which will be announced on October 1. Our package will help to stabilize the insurance markets and make them more competitive.

Every study has shown that our bill would make health insurance more affordable. According to the leading healthcare experts at Oliver Wyman, our bill would lower individual health insurance premiums in the individual market by as much as 40 percent com-

pared to what people will otherwise pay if Congress fails to act. According to Oliver Wyman, it would also expand coverage to an additional 3.2 million Americans.

I want to touch on a complicated but important issue that some of my colleagues on the other side of the aisle have raised as a reason not to pass this bill. There have been two reasons. One is the application of the Hyde amendment, which has been law for decades, which I will talk about subsequently, but the first has to do with what is referred to as silver-loading and zero-premium bronze plans.

First a little background. The Affordable Care Act was designed to provide two key subsidies for enrollees who purchased coverage on the exchange and qualified from an income standpoint. The first are premium tax credits to help cover the cost of premiums for individuals earning between 100 and 400 percent of the Federal poverty level. The second are cost-sharing subsidies, or CSRs, to help cover the cost of deductibles and copays and other out-of-pocket expenses for individuals who are very low-income—earning between 100 and 250 percent of the Federal poverty level.

Despite the fact that Congress never appropriated the funds to pay for the cost-sharing reductions, the Obama administration paid them anyway. The House sued to block this strategy and won in Federal district court.

Lacking an appropriation from Congress, President Trump stopped making these payments last year. That concerned many of us, but let me make clear—he was following the court's decision. In response, insurance companies came up with the silver-loading strategy, under which they increased the price of their silver plans to compensate for the cost-sharing reduction payments they were no longer receiving. In essence, insurers have created silver plans that mimic CSRs for low-income enrollees. Because the ACA's tax credits are tied to the silver plan premium, the tax credits ballooned in size, producing credits so large that they are often sufficient to fully cover the premiums on the bronze plans for lower income enrollees and, by the way, greatly increased the cost to Federal taxpayers, which is why the bill we put together, by right-sizing the market and avoiding the games that were played, actually pays for itself.

We all remember the old saying that “if something sounds too good to be true, it probably is.” Well, free bronze plans for low-income individuals sounded too good to be true, and they are. I hope my colleagues on the other side of the aisle are listening to this explanation. The fact is that free bronze plans are only a good deal for low-income Americans who never get sick, who never get hurt, who never need to use their insurance. If they do, they will pay hundreds or even thousands of dollars more out of pocket.

While these plans might have lower monthly payments or even be free,

they have much higher deductibles and copays. Based on publicly available data pulled from the exchanges, I am going to describe an example illustrating that individuals with free bronze plans will face much steeper costs when they try to access care than if they paid the small premium for the silver plan.

Let's take the example of Chris and Caroline, ages 34 and 32, who live in Portland, ME. They bought coverage on the exchange for themselves and their two young children for 2018. They make about \$34,500 a year, which is about 140 percent of the Federal poverty level. They saw that they could get a “free” bronze plan, or they could choose to buy the cheapest silver plan for \$54.83 a month. They chose the free bronze plan, not realizing that the silver plan would have given them access to subsidies, which provide lower deductibles and copays to low-income people. If Caroline gets pregnant this year and they are under the free bronze plan, they are going to have to pay out of pocket \$7,350—and they make \$34,500 a year. Had they picked the least expensive silver plan, they would have had to pay \$500.

Consider a hypothetical couple in their early thirties, Jacob and Emma, with two young children, living in Seattle, WA. They are making just under \$35,000 a year. When they went shopping for coverage on the exchange, they, too, saw that they could get a free bronze plan, or they could buy the least expensive silver plan for about \$84 a month. Jacob and Emma chose the free bronze plan, which doesn't come with the subsidies included in the silver plan to help low-income families with deductibles and copays. If someone in this young family faces a serious illness this year, the silver plan in Washington State would have capped Emma and Jacob's additional expenses at \$660. Unfortunately, they have the so-called free bronze plan that some of my colleagues have been touting. They would face up to \$7,210 in out-of-pocket expenses—hardly an affordable option for this low-income family.

It used to be well understood by the affordability advocates in and out of the Senate that low-income Americans struggled to meet deductibles and out-of-pocket expenses. Just 1 year ago today, the Kaiser Family Foundation issued a report arguing against the House reform bill because it did not contain CSRs, noting that “cost-sharing reductions are a key part of the financial support currently provided to [low-income] enrollees” and that without such support, deductibles “are often out of reach for people with lower and modest income.”

A prior Kaiser Family Foundation report from 2015 showed that only 1 in 10 individuals earning between 100 and 250 percent of the Federal poverty level—those are the individuals who would be eligible for CSRs under our bill—has savings or other assets large enough to cover a \$6,000 deductible. In other

words, without CSRs, 90 percent of these individuals will have to wipe out their savings to cover their medical expenses before they even meet their deductible. Those who can't meet their deductible won't get reimbursed. For these Americans, a zero-premium plan will really mean a zero-benefit plan.

I cannot believe that silver-loading and free bronze plans is a credible long-term strategy. First, I would note, in addition to the examples I have given, that CBO assessments from last year were that the silver-loading strategy would cost the Federal taxpayers \$194 billion over the budget window. Second, because low-income individuals will struggle to meet their deductibles, they will be unable to secure reimbursement of expenses. Sooner or later, taxpayers are going to be asking why they are paying nearly \$200 billion more to subsidize policies that deliver such poor benefits.

To be clear, the amendment we are offering prevents this strategy, protecting lower and modest-income enrollees, low-income families and individuals and the taxpayers.

Now, let me discuss the Hyde amendment. I am disappointed, to say the least, that Democrats, who ought to have embraced this proposal, have instead rejected it because its funding is subject to the Hyde amendment. As a pro-choice Republican, I must say this puzzles me. The Hyde amendment has prohibited the use of taxpayer dollars to pay for elective abortions for more than 40 years. It is not new policy. The entire Labor-HHS title of the omnibus before us today is subject to the Hyde amendment.

There are variations of the Hyde amendment in other titles of the omnibus spending bill. It applies to a long list of Federal programs, including Medicare, Medicaid, CHIP, TRICARE, Veterans Affairs, Indian Health Service, the Peace Corps, the Bureau of Prisons, Immigration and Customs Enforcement. I have heard it said that it doesn't apply to commercial insurance that is offered by the Federal Government—that is just not true. It applies to the Federal Employees Health Benefits Program, through which 8.3 million employees, retirees, and their families get their health insurance coverage. I have not seen my Democratic friends make any effort to change the applicability of Hyde to that insurance program.

Together, these programs account for more than \$1 trillion in government spending each year—all of which is covered by the Hyde amendment. That is 100 times the amount of reinsurance we are proposing in our amendment. A trillion dollars of Federal healthcare funding is already covered by the Hyde amendment, which has been policy for 40 years. So how is this, in any way, a radical departure from current policy?

I find it frustrating that some on the other side of the aisle are choosing to block this important package that will provide relief to those who need it

most because of the application of the Hyde amendment. Let me say, they cite the Stupak amendment, which is section 1303 of the Affordable Care Act. We leave that in place, we don't touch it, and we do not change the Hyde amendment's exemptions found in section 507, which allow private entities, State governments, or individuals to use their own funds to provide coverage for abortion. In other words, this is nothing radical or new, and it is baffling and gravely disappointing that this should be used to block this package.

Dozens of healthcare consumer and business groups, as well as the National Association of Insurance Commissioners—those State commissioners whose job it is to look out for consumers—have called upon Congress to take action to lower premiums for millions of Americans and their families. These groups include the American Hospital Association, Blue Cross Blue Shield, the U.S. Chamber of Commerce, the American Medical Association, the American Cancer Society, the American Academy of Family Physicians, the Federation of American Hospitals, and there are a wide range of groups representing people with diseases, such as arthritis, cancer, epilepsy. The United Way has called for action, the Cystic Fibrosis Foundation, the American Lung Association. Just yesterday, the National Association of Insurance Commissioners put out a new letter in support of market stabilization.

Mr. President, I ask unanimous consent that these three letters be printed in the RECORD at the conclusion of my remarks.

Mr. President, how incredibly disappointing it would be if some Members derailed this serious effort to reduce the cost of health insurance for millions of Americans. While Members may disagree with certain provisions, the time has come for each and every Senator to decide: Are you for lower rates and more affordable coverage for the 18 million Americans who get their insurance from the individual market or are you content to just sit back and let their insurance rates soar once again this fall, making health insurance even less affordable than it already is?

In my view, the answer is clear and obvious. We must not lose sight of our goal, and that is making health insurance more affordable for millions of Americans. Including our insurance package in the omnibus funding bill is the right thing to do, and it is urgent that we do it now.

Thank you.

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

NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS & THE CENTER FOR INSURANCE POLICY AND RESEARCH,

March 21, 2018.

Hon. LAMAR ALEXANDER,  
Chair, Health, Education, Labor, and Pensions Committee, U.S. Senate, Washington, DC.

Hon. PATTY MURRAY,  
Ranking Member, Health, Education, Labor, and Pensions Committee, U.S. Senate, Washington, DC.

Hon. SUSAN COLLINS,  
U.S. Senate, Washington, DC.

DEAR CHAIRMAN ALEXANDER, RANKING MEMBER MURRAY, AND SENATOR COLLINS: Members of the National Association of Insurance Commissioners (NAIC) continue to urge congressional support for health insurance market stabilization reforms and applaud the Senate leaders who have worked across the political aisle to advance them. If Congress does not act to stabilize health insurance markets, continued uncertainty regarding federal funding, the health of the risk pool, and regulatory requirements will result in even higher premiums and, possibly, fewer carriers participating on the exchange—perhaps even bare counties.

This is why commissioners from across the political spectrum have contacted their congressional delegations, testified before House and Senate committees, and urged federal policymakers to take immediate action to stabilize the health insurance markets.

Specifically, state regulators support market stabilization reforms that would:

Provide federal funding for reinsurance programs to address the deteriorating risk pools;

Fully fund cost-sharing reduction (CSR) payments that are owed to insurance carriers that provide low-cost sharing plans to lower-income enrollees; and,

Make the Section 1332 waiver process more streamlined and predictable for states.

These concepts have received bipartisan support and, contrary to some rhetoric, are in no way a “bailout” of the insurance industry. They directly benefit consumers and help stabilize the risk pool. CSR payments reimburse carriers for providing a lower cost version of their Silver plans to eligible consumers, and establishing reinsurance funding acknowledges that the risk pools in many states are much sicker than anticipated and help is needed to backstop markets that might otherwise cease to exist in some counties. Section 1332 waiver flexibility will provide states clearer guidance and quicker action to address their market realities, while preserving guardrails to protect consumers. And finally, the Senate rightly acknowledges that “sales across state lines” are best left to the states in the form of interstate compacts.

As insurance commissioners, we attempt to assess these reforms with an apolitical perspective, but we recognize that the political process in Washington does not always allow for a perfect result. What is clear, however, is that without these reforms markets across the country will continue to deteriorate, and consumers will pay the price for this inaction. We applaud Senators who have worked to advance these reforms and we urge all Members of Congress to support them and stabilize health insurance markets for our nation's consumers.

Sincerely,

JULIE MIX MCPEAK,  
NAIC President, Commissioner, Tennessee Department of Commerce & Insurance.

RAYMOND G. FARMER,  
NAIC Vice President, Director, South

*Carolina Department of Insurance.*  
 ERIC A. CIOPPA,  
*NAIC President-Elect, Superintendent, Maine Bureau of Insurance.*  
 GORDON I. ITO,  
*NAIC Secretary-Treasurer, Commissioner, Insurance Division, Hawaii Department of Commerce and Consumer Affairs.*

**CONGRESS MUST ACT NOW TO PREVENT PREMIUM SPIKES AND COVERAGE LOSSES FOR MILLIONS OF AMERICANS, SAY 20 PATIENT AND CONSUMER GROUPS**

WASHINGTON, D.C., Mar. 13, 2018.—20 patient and consumer groups issued the following statement urging Congress to include legislation in the forthcoming omnibus spending bill to steady the health insurance market:

“Congressional leaders must include provisions to stabilize the health insurance market in the March 23rd omnibus government funding bill to prevent millions of Americans from losing health insurance coverage. In the coming months, insurers will set plan rates for 2019 and a shaky marketplace will likely result in premium spikes—putting health insurance out of reach for many patients and families.

Several bipartisan proposals under consideration could preserve and even expand access to affordable health insurance for middle class families. They include cost-sharing reduction policies that could improve affordability for low-income Americans and the creation of a reinsurance program to help keep premiums stable for those with pre-existing conditions. We urge Congress to move swiftly, so that plans on state exchanges can stabilize, and perhaps lower, premiums for the millions of Americans who will turn to the marketplace for coverage next year.

Both parties in Congress have pledged to protect people with pre-existing conditions, but recent regulatory actions taken by the Trump administration to expand association and short-term health plans could undermine existing protections.

Recent data indicates that the number of Americans who are uninsured is on the rise again for the first time since 2008. At the end of 2017, 12.2 percent of U.S. adults lacked health insurance—up from 10.9 percent at the end of 2016, an increase of 3.2 million people.

Quality insurance coverage improves patient outcomes and allows Americans to stay healthy and remain financially secure. The vulnerable communities we represent simply cannot afford to lose access to health insurance that protects their livelihood and wellbeing.”

American Cancer Society Cancer Action Network; American Heart Association; American Lung Association; Arthritis Foundation; Autism Speaks; Crohn’s & Colitis Foundation; Cystic Fibrosis Foundation; Epilepsy Foundation; Family Voices; Futures Without Violence.

Leukemia & Lymphoma Society; Lutheran Services in America; March of Dimes; National Alliance on Mental Illness; National Health Council; National Multiple Sclerosis Society; National Organization for Rare Disorders; National Patient Advocate Foundation; United Way Worldwide; Volunteers of America.

DEAR LEADERS MCCONNELL AND SCHUMER, SPEAKER RYAN, AND LEADER PELOSI: Americans need action now.

We came together earlier this month to stress the importance of congressional ac-

tion to lower healthcare premiums. Time is running out.

In the next few weeks, health insurance providers will begin to file premium rates for 2019 in the individual market. In October, individuals and families who buy their own coverage will review their options, see their premiums, and make their choices. Without Congressional action now, the plans offered to Americans will be nearly 30 percent more expensive than they would be otherwise.

Congress is working on an omnibus appropriations bill that it must act on by March 23. As providers of health care and coverage to hundreds of millions of Americans, we urge you to ensure that bill includes elements that will reduce premiums, improve affordability, and improve the individual market for 2019 and beyond:

Establish a premium reduction/reinsurance program to help cover the costs of people with significant health care needs.

Provide multi-year funding for cost-sharing reduction (CSR) benefits.

According to independent analyses by Avalere Health and Oliver Wyman, enacting both legislative provisions could lower premiums by up to 21% in 2019 and increase enrollment and expand coverage to over 1.5 million Americans. By 2020, premiums could be 40% lower with an additional 2.1 million Americans enrolled and covered. Moreover, this legislation will help physicians and hospitals better serve the health care needs of patients in their community and lower costs for businesses that provide coverage to their employees.

Time is running short. We urge you to deliver on the promise to reduce premiums for millions of Americans and their families.

Sincerely,

AMERICA’S HEALTH  
 INSURANCE PLANS;  
 AMERICAN ACADEMY OF  
 FAMILY PHYSICIANS;  
 AMERICAN BENEFITS  
 COUNCIL;  
 AMERICAN HOSPITAL  
 ASSOCIATION;  
 AMERICAN MEDICAL  
 ASSOCIATION;  
 BLUE CROSS BLUE SHIELD  
 ASSOCIATION;  
 FEDERATION OF AMERICAN  
 HOSPITALS;  
 U.S. CHAMBER OF  
 COMMERCE.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I want to thank the Senator from Maine for her lucid and heartfelt description of what is before us. She has been an exceptional leader, and she continues to be. She looks for ways to get results.

She sees people—the plumber I talked about making \$60,000, the stylist, a farmer—the person who is working and paying all of his or her insurance with no subsidy help and who sees the real prospect coming that when the rates are announced October 1, they may not be able to afford any insurance, and they can see we have a solution for that.

Now, this isn’t a Republican solution or a Democratic solution. This is a solution that began to be developed almost the day Republicans failed to repeal and replace ObamaCare. I walked across the aisle to see if we could do what the Democrats were asking. Let’s fix what we have temporarily so nobody is hurt. As we have explained this afternoon, we did that.

We have a proposal that is the original Alexander-Murray proposal, devel-

oped in four hearings, in which more than half the Senate participated, which at one point the Democratic leader said every single Democrat would vote for. It takes an existing part of the Affordable Care Act and makes it work—that is the innovation waiver—gives States more flexibility to create more choices and lower cost choices without changing the essential health benefits, without changing the guarantee for preexisting conditions. It is really a modest change, but it is a significant change. Then it has 3 years of cost-sharing subsidies—remember, the President said he did not want to pay those, but he supports this—and then 3 years of reinsurance so we can help the sickest people who are in the individual market, take them out, pay their needs, and reduce rates for everybody else. These are the best Republican and Democratic ideas that have been put together in a package and, as Senator COLLINS has said, virtually everyone who has looked at this—starting with the Oliver Wyman Health consultants who say it reduces rates up to 40 percent, the Congressional Budget Office says 20. That is thousands of dollars.

If you are paying \$20,000 for your insurance, if we do nothing, you might be paying \$24,000. If we do this, you might be paying \$16,000. That is a lot of money. If we do this, you might be paying \$12,000. That is thousands of dollars less. That is a big tax cut for you, and it is a big tax increase. Why are we not doing this?

Let’s not kid ourselves. There is a lot of scrambling and embarrassed running around over on the other side of the aisle to come up with an excuse for this, but let’s be honest about it. The Democrats are blocking this for one reason. They have convinced themselves they do not want to apply to the health insurance rate reduction in the omnibus bill the same law that applies to more than 100 other programs in this omnibus bill. So every single Democrat over here who says: I can’t vote for a 40-percent rate reduction for you, Mr. Plumber or Ms. Hairstylist or Ms. Farmer. I can’t do that because I can’t put the Hyde amendment on it, but I am going to vote to put the Hyde amendment on the National Institutes of Health, I am going to vote to put the Hyde amendment on community health centers, I am going to vote today to put it on Federal employee health benefits and family planning grants under title X and 100 other programs Democrats are going to vote to put the Hyde language on—yet they say we can’t put the same language on a 40-percent health insurance reduction that is composed of three sections of bipartisan legislation that the Democratic leader has said, at least on two-thirds of it, that every single Democrat supported. Now, what is that? What is that?

I mean, this should not be a partisan issue. I am not surprised there is

scrambling and embarrassment on the other side of the aisle. I don't know how they are going to explain this to the American people. I know a lot of people in Tennessee are desperately hoping we succeed. I hear it every time I go home.

Health insurance is the No. 1 concern of the people in my State, and the most frightening prospect is, if they can't pay their bills, then they can't buy insurance. They might get sick and have no way to take care of it.

Mr. President, I will ask consent to put into the RECORD a few items. The first is a list of 20 programs that are included in the omnibus bill we are likely to vote on today that have Hyde protection.

Now, remember what the Hyde protection is. It is a compromise that was created in 1976 that said Federal funds may not be used for elective abortions, but basically you may use any other funds, and you may create a contract or arrangement to do that. So that is what we do with Medicare. That is what we do with Medicaid. That is what we are voting today to do at the National Institutes of Health, in the community health centers, voting today for the Federal Employee Health Benefits Program, for family planning grants, for the Indian health programs, for the VA women's health medical care, for global health programs, for the Ryan White HIV/AIDS Program, and school-based health centers. We are voting to put the Hyde protection on area health education centers, on maternal and childcare block grants, on the National Health Service Corps, but we can't put Hyde protection on health insurance—a 40-percent rate reduction on health insurance, a bipartisan proposal that has the support of the President, the majority leader, and the Speaker. They are all willing to put it in this bill, but you say no. You say no, and there is no good reason for that. There is no good reason whatsoever.

We are going to vote to put the Hyde amendment on childcare community development block grants.

I ask unanimous consent that a list of 20 of those programs be printed in the RECORD, although, there are more than 100 we will be voting on today.

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

20 PROGRAMS HAVE HYDE PROTECTIONS IN THE OMNIBUS

1. National Institutes of Health
2. Community health centers
3. Federal Employee Health Benefits Program
4. Family Planning Grants under Title X
5. Indian Health Programs
6. VA women's health medical care
7. Global health programs at the Centers for Disease Control and Prevention (CDC)
8. Ryan white HIV/AIDS Program
9. School based health centers
10. Area Health Education Centers
11. Maternal and child health block grant
12. National Health Service Corps
13. Bureau of Prisons health programs

14. Childcare Community Development Block Grants

15. Community Mental Health Services Block Grant

16. Substance Abuse Prevention and Treatment Block Grant

17. State Grants to Respond to the Opioid Crisis

18. Rural Outreach Grants

19. Domestic trafficking victim's fund

20. Garrett Lee Smith youth suicide and early intervention strategies

Mr. ALEXANDER. Mr. President, I ask unanimous consent also to have printed in the RECORD a short summary of the three-part, bipartisan proposal that will produce the 40-percent rate decreases in the individual market, according to Oliver Wyman, and up to 20 percent, according to the Congressional Budget Office, over the next 3 years.

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

LOWER PREMIUMS, MORE STATE FLEXIBILITY, AVOID CHAOS IN 2019, 2020 AND 2021

President Trump, Majority Leader McConnell, and Speaker Ryan support this proposal.

Premium Reduction through State-based Reinsurance Program

Adds funding for 1332 reinsurance and invisible high risk pool programs at \$10 billion a year for 2019, 2020, and 2021, with a federal fallback in the first year.

Oliver Wyman projected premium decreases and coverage increases:

2019, 2020, and 2021: 40% lower premiums in states that receive a 1332 waiver than what people in the individual market would pay if Congress doesn't act.

Will provide insurance coverage to an additional 3.2 million individuals.

An alternate analysis by the Congressional Budget Office, based on real spending on Obamacare subsidies, indicates that the proposal would save over \$9 billion over 10 years.

Make Section 1332 State Innovation Waivers Work

More flexibility for health plan designs

Example: Iowa waiver proposal

Example: higher co-pay opioids, lower co-pay statins

"Alaska for All" (Maine, Minnesota)

State-based program to help cover costs of the very sick 20% premium decrease for everyone

Streamline approval process

Let Governors apply for waiver

Cut federal waiver approval time from 180 days to 120

Create fast-track approval for emergency situations

Create fast-track approval for "copycat" waivers

Make the waiver last longer

Make it harder for a waiver to be cancelled, giving states certainty

Create model waivers to help states get approved faster

NEW COPPER PLAN: CATASTROPHIC INSURANCE REGARDLESS OF AGE

INTERSTATE HEALTH INSURANCE COMPACTS

Consumer Notification

Directs state insurance commissioners to require short-term, limited duration insurance display prominently in marketing materials, the contract, and application materials a notice to inform consumers that coverage and benefits differ from coverage offered on the exchanges.

Consumer Outreach, Education, and Assistance

Allows HHS to contract with states to conduct outreach and enrollment activities

funded by existing user fees designated for these activities.

NO BAILOUT, ENDS "SILVER-LOADING" GIMMICK Funds Cost-Sharing Reduction Subsidies

October through December of 2017, for 2018 for plans that did not silver load and Basic Health Plans.

Helps those who are below 250% of the poverty level who receive government assistance to help them pay for their deductibles and co-pays.

All plans for 2019, 2020, and 2021.

Standard Hyde Protections:

Includes the same Hyde protections that already apply to Medicaid, Medicare, Children's Health Insurance Program, TRICARE, Indian Health Service, Federal Employees Health Benefits Program, Veterans Affairs, and the Labor-HHS appropriations bill. Clarifies that Hyde exemptions and effect on non-federal funding remain the same.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD the Oliver Wyman analysis entitled "A Proposal to Lower ACA Premiums by More than 40% and Cover 3.2 Million More" Americans.

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

[March 12, 2018]

A PROPOSAL TO LOWER ACA PREMIUMS BY MORE THAN 40% AND COVER 3.2 MILLION MORE (By Tammy Tomczyk, FSA, FCA, MAAA and Kurt Giesa, FSA, MAAA)

In our December 9, 2017 article, we analyzed the effects of a proposal the US Senate was considering to fund cost-sharing reduction (CSR) payments and appropriate \$5 billion in 2019 and 2020 for states to establish reinsurance programs to stabilize their individual insurance markets. We discussed how pass-through savings could provide reinsurance coverage equal to roughly \$15 billion in protection for high-cost claimants, and how this protection, combined with CSR funding, would bring more people into the individual market and lower premiums by over 20 percent.

More recent congressional attention is focusing on a proposal that includes an extension of CSRs and a reinsurance program in 2019, 2020, and 2021, funded with a \$10 billion appropriation in each year, with a federal fallback option available to states in 2019. The federal fallback option would likely be based on—and use the federal infrastructure built to administer—the Transitional Reinsurance Program in place from 2014 through 2016.

Our healthcare microsimulation model, used to understand this package's likely effects on the market, assumed states would use federal pass-through savings under Section 1332 of the Affordable Care Act (ACA) to supplement and leverage the \$10 billion the considered legislation would authorize and appropriate each year. Pass-through savings result from the fact that the premium subsidies available under the ACA cover the difference between the second lowest cost silver plan available in a rating area and a fixed percentage of a household's income, varying only by federal poverty level (FPL). Lower premiums result directly in lower premium subsidies, and under a Section 1332 waiver, these savings from lower premiums may be used to provide additional reinsurance.

In our modeling, we are presuming that states will take advantage of these pass-through savings in 2019. In reality, states that have not already begun working on a waiver will be challenged to get a 1332 waiver

filed and approved under the current regulatory regime in time to impact 2019 premiums. The current regulatory regime includes a requirement that a state enact enabling legislation, develop an application, hold public hearings during a 30-day public comment period, and submit the application to the US Health and Human Services (HHS). HHS then undertakes a two-step review process that can span up to 225 days—up to 45 days for a completeness determination followed by up to 180 days for review. But even those states unable to get a waiver in place for 2019 would still benefit from that year's federal fallback program.

Therefore, we estimate, under the assumptions described above, that an additional 3.2 million people will be covered in the non-group market, and the proposal would result in premiums that are at least 40 percent lower than they would have been without the proposal in place, across all metal levels. In those states that are not able to obtain a 1332 waiver and take advantage of pass-through savings for 2019, we estimate that premium would decline by more than 20 percent across all metal levels. Those estimates include an average 10 percent reduction due to the funding of CSRs, with the remaining reduction coming from the reinsurance program.

As a note, our modeling reflects elimination of the mandate penalty, but does not consider the proposed regulation's likely effects on association health plans or on short-term, limited duration coverage.

Mr. ALEXANDER. Mr. President, the Congressional Budget Office estimate looks at this proposal two different ways, but it says that if we base it on real spending—that is, as if Congress actually passed this bill—the Alexander-Murray-Collins-Nelson proposal that reduces insurance rates 40 percent saves the Federal taxpayer money. In other words, it doesn't cost anything.

As a U.S. Senator who came here to get results, who enjoys more than anything working across party lines to cause that to happen—because it takes 60 to get a result—who admires Senators like Senator COLLINS, who spends her time doing that, I am very disappointed, not just for me, not just for Senator COLLINS, who has spent hundreds of hours on this, not just for the Senate as an institution, but I think of people who come up to me like Marty at the Chick-fil-A, who said: I was paying \$300 a month, and now I am paying \$1,300 a month. I can't afford it; I am a farmer.

I said: I have a Christmas present for you. And then I thought, well, I have a Valentine's present for you, and then I thought maybe I could say I have an Easter present for you, and now I can say I can't do it because the Democratic Party voted to put the Hyde protection on more than 100 programs today—as it has done every year since 1976—but it refused to put the Hyde protection on a 40-percent rate decrease that was developed across party lines, in long hearings that were attended by more than half the Senators—all of them coming in and saying: Oh, this is a wonderful thing.

They came up to me and said: Chairman ALEXANDER, this is so good. We wish the Senate would act like this more. We like the fact that you are

having open hearings. Democrats are coming. You are letting us all come without being a member of the committee.

Why are we not doing more of this? This is why we don't do more of it. We come to a result. We come up to a partisan end that hurts people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### OMNIBUS APPROPRIATIONS BILL

Mr. LANKFORD. Mr. President, I wish to talk a little bit about election security, but on a day like today, I have to at least mention where we are with the giant omnibus bill that got dropped on us last night at about 8:30—about 2,300 pages of legislative text—to try to deal with all of government spending, all of discretionary spending.

If people don't know what an omnibus is, it is where we are supposed to pass 12 individuals bills dealing with 12 different topics of our spending. An omnibus is when you take all 12 of those and just do it at once. It is supposed to be the exception to the rule, but for the last 17 years, we have done some version of an omnibus. Today's vote will be the 18th.

We have 2,300 pages with technical legislative language and less than 24 hours to be able to go through it. There is no way to be able to discover what all is in it.

There is another historic event that has happened this past week, as well, which I think connects to this omnibus. Last Friday, the Treasury Department announced that we just crossed over \$21 trillion in total debt—\$21 trillion.

I have had some folks who have caught me and said: Now that we have gone over \$21 trillion and it looks like we could be rapidly approaching \$1 trillion of deficit this year alone—which would mean that in the next 12 to 14 months, we will go from \$21 trillion to \$22 trillion in total debt—gosh, that looks terrible. It has to be this Republican tax plan that is causing it. Well, there will probably be some deficit spending with the Republican tax plan that went in because it will take a couple of years for the income to be able to accelerate with it, but this omnibus alone is \$300 billion of additional spending—just this, \$300 billion.

So we go up to over \$600 billion in deficit spending this past year, and this omnibus will add another \$300 billion to that. The disaster relief funding that was done this year was \$140 billion on top of that, and the interest payment increase—just the increase—from last year to this year was \$54 billion.

It is not just some Republican tax plan that made this change. This is a very rapid acceleration in overspending that is happening right in front of our eyes, and the omnibus is not slowing it down. It is accelerating it. We have to change how we are doing budgeting and the trajectory that we face.

There are 16 of us who have started meeting last month—8 Democrats and

8 Republicans, half from the House and half from the Senate—to evaluate how we do budgeting.

The 1974 Congressional Budget Act that we are currently operating under created this incredibly complicated system that has not worked in a decade. Every year we come up and try to do it again, and every year we end up with some omnibus package, and none of us has an amendment. None of us has an opportunity to be able to see it, read it, or go through it. It is just this: Here is the number. There it is. Vote for it or not.

We have to be able to fix that process. There is no long-term strategy. There is no regular order. There is no opportunity to be able to make changes. There is no plan.

My hope is that by the end of the year, this bipartisan group will have the opportunity to be able to present a different way of doing budgeting. That is not trying to be partisan but just to be able to put a neutral process in place in which we can actually be strategic about where we are going, because we are accidentally stumbling into more and more debt every single month, and it will happen again today.

#### ELECTION SECURITY

Mr. President, I wish to chat with this body a little bit about election security. Just to give a quick update, as many of you know, the Department of Homeland Security has been actively engaged in trying to fix what they can on election security leading up to the 2018 time period.

I have absolutely zero doubt that the Russians tried to meddle in our elections in 2016. They started in 2014 trying to strategically plan for how they were going to try to interfere in our elections—the social media, the false news, and as many different ways as they can to be able to get out information and misinformation. They started the process early. Quite frankly, they planned and executed well. They exposed a weakness in our system.

We are an open society that is exceptionally trusting of each other, and we are not used to having a foreign entity try to reach in and try to influence us like that.

What the Russians exposed in 2016, we should be well able to push back against in 2018 and 2020 and not be caught off guard again. The Russians reached in and scammed multiple States in their election systems. They were looking at voter rolls, trying to figure out if they could get access to those. Now, they can't change votes by just looking at voter registrations, but if they could look at and download those files, they could also change those files, edit names, edit addresses, and then, suddenly, when people show up to vote, they are not really registered anymore or they are registered at a different precinct. They could create chaos on election day just by going in and editing those names. They could go into the unofficial results websites of secretaries of State and during the

day of the election actually start putting up false election results or changing algorithms and numbers, so that when numbers are added, they are actually counted wrong, just to create uncertainty in the process. So when the actual election day comes, the unofficial results come out, and they are not reliable and everyone doubts the system itself.

Again, that doesn't change votes, and it doesn't change outcomes, but it certainly destabilizes the system. We should be aware of that.

We have multiple States—there are not many, but there are around 10 to 12 States—that cannot audit their elections when Election Day comes and goes. That means that they are completely counting on the machine to be able to keep an accurate count. Now, that machine is not attached to the internet. In fact, there is no State that has their election equipment attached to the internet on the day of the election, but for almost every one of them, there is a software update right before the election. If any entity were to be able to get into any one of the third-party software companies when the update is done and just put a bit of software in there that just messes with the machine, you would literally not know if that election result was reliable or not.

Did that happen last time? No. Were the Russians looking to try to find different software companies and the different makes and models of those companies that make our election machines? Yes, and we should take that as a warning sign. Last time they were looking, and next time they may be looking to mess with it and change it. We should be well prepared for that.

We have a piece of legislation. It is a very straightforward piece of legislation about secure elections. Myself, AMY KLOBUCHAR, KAMALA HARRIS, LINDSEY GRAHAM, and SUSAN COLLINS, and most of us who are all engaged in this one simple issue say: How do we stabilize our elections system?

Elections are run by States and should be run by States. There is no reason for us to federalize elections, but the Federal Government should walk alongside States and say some simple things: We are going to have quick communication between the States and the Federal Government. So if a foreign entity is trying to reach into your State to mess with your system, we can quickly let you know about it, and we can help you in the process of protecting your State.

The last time this occurred in 2016, it was months before the Department of Homeland Security was able to actually engage with those States to let them know that what was really happening was a foreign actor and to be able to help them with their security. We have to be faster on that.

We want to be able to streamline that communication. We want to encourage States, when they buy election equipment or they get election equip-

ment, that they be able to audit their results on the day of the elections. The Federal Government should not pick their equipment. Those States should because it is a State responsibility. But we should incentivize them to actually lean in and make sure their equipment is good, because at the end of the day, in a Presidential election, we are all counting on every other State to make sure their election system is good. If it is not, it is a problem for all of us.

We want to make sure that there is not only streamlined communication and that there is not only good and auditable equipment, but that we actually give classification to individuals so that they can deal with classified information. That didn't happen last time, and so, again, it was months before there was any contact back and forth, because the Federal Government wanted to notify the States of what was happening, but no one had the clearance to be able to get the information. Let's fix that.

DHS is in the process of fixing that, but we would like to put in legislation that just remains, so that in the future, we don't lull ourselves to sleep again. Last time, it was the Russians. Next time, it could be the North Koreans. Next time, it could be the Iranians. Next time, it could be a domestic activist group that is just mad at somebody for something, and they have learned the vulnerabilities that the Russians pointed out.

In the days ahead, we need to secure our system for our election. It is not a partisan issue. It shouldn't be a partisan issue, but it should be something we learn the lesson on.

We are quickly learning the lessons about our vulnerabilities—cyber vulnerabilities in our pipelines, in our electric grids, in our phone systems, in internet fibers, in our election systems, in our banking systems, and in multiple other areas. We should learn this lesson and learn it well.

There are people who mean to do us harm. They are not necessarily going to attack us bodily, but they don't like our growing economy, they don't like our values, they don't like our openness, and they want to use our openness against us. We can't imagine doing that to someone else. They practice doing that to us.

We need to put up a basic guard, and we need to communicate to nations and nation-states around the world: If you come and attack us, this is going to be our response, so that they clearly know what they are facing when they come after us next time.

It happened once. It will happen again. Let's make sure that we are ready. Let's pass this bill about safe elections and get our elections secure so that we can trust the results year after year after year, as we have in the past.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### SELF-INITIATION TRADE ENFORCEMENT ACT

Mr. PETERS. Mr. President, my home State of Michigan has the best and most productive workers in the world. Michigan workers built the American auto industry and the American middle class, and they continue to roll out cutting edge innovations.

Our farmers and agricultural producers deliver an incredible diversity of fresh products to American families day in and day out. Our cars, trucks, crops, timber, furniture, and more are shipped across the United States and exported all across the globe.

In America, we believe that if you work hard and you play by the rules, you will be able to support yourself and your family and prosper. Unfortunately, our Nation's workers and businesses are too often facing unfair competition from foreign competitors.

Our businesses, which play by the rules and pay their workers a fair wage for a hard day's work, too often lose business to foreign competitors who cheat. It is one thing to lose a sale to a competitor that has the right product at the right time or is better positioned in the market—that certainly happens—but it is another thing altogether to lose because an international competitor is being subsidized by a foreign government or deliberately dumping goods below cost to drive American companies out of business. This needs to stop, and it needs to stop now.

Large companies are able to directly combat these practices by hiring teams of lawyers to enforce international trade rules, but what about family farms, small auto parts suppliers, and other small manufacturers that don't keep international trade lawyers on their payroll? American small businesses, family farms, and the workers who show up every morning can outcompete anyone on this planet if they are given a level playing field. It is time to give them that level playing field. We should be using the expertise and the strength of the Federal Government to stick up for these small businesses and give them a fair fight.

Under current law, the Commerce Department has the authority to start their own trade investigation into these harmful trade practices, but they barely ever use it. That is why I have introduced the Self-Initiation Trade Enforcement Act with my colleague Senator BURR.

This bipartisan legislation will strengthen protections for small businesses and their workers by creating a permanent task force within the Commerce Department to support proactive investigations into unfair trade practices by foreign competitors. This task force will research trade data, spot abusive, unfair trade practices, and start formal investigations. This task force will also focus on cases impacting small- and medium-sized businesses—the exact businesses that need the support but may not even know how to ask for it.

Additionally, putting the weight of the Commerce Department behind

these efforts shields these businesses from foreign retaliation. If a small business is able to track international trade data and if they are then able to hire a legal team necessary to successfully prosecute their claims—and believe me, these are two big ifs—they could still face retaliation from foreign governments that could make it harder for them to export after they win their case. An individual cherry grower in northern Michigan, for example, faces nearly impossible hurdles in taking on a foreign government, but the Commerce Department can look out for these small growers across the Nation and be their champion.

At a recent bipartisan trade policy meeting that I attended, I was able to speak with President Trump and Commerce Secretary Ross about this bipartisan legislation. They both expressed their strong support, and I will continue working with them and my colleagues in Congress until this legislation is signed into law. Michigan workers and businesses just want a fair chance to compete, and I will never stop fighting for them so they can compete fairly and so they can win.

I urge my colleagues to support the Self-Initiation Trade Enforcement Act that will help small businesses and family farms all across Michigan and all across the United States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### JESSIE'S LAW

Mr. MANCHIN. Mr. President, after 2 years of hard work and because of the determination and strength of David and Kate Grubb of Charleston, WV, Jessie's Law was finally passed by Congress and signed into law, and I thank each and every one of my colleagues for their support.

Jessie's Law is different from other pieces of legislation. Jessie's Law will actually save lives and prevent parents from experiencing the heartbreak of losing a child.

Jessie Grubb's story is known to many of you already, but for those of you who haven't heard it and for those of you who don't know it, I want to go over some of the highlights.

After years of struggling with heroin addiction, Jessie had been doing very well. She had been sober for 6 months. She was focusing on making a life for herself in Michigan and was training for a marathon. She had surgery for an infection related to her running injury and died the day after leaving the hospital. All of her hard work was ruined because of a careless mistake.

Jessie's death is particularly heartbreaking because it was 100 percent preventable. Her parents, David and Kate, traveled to Michigan for Jessie's surgery. Both Jesse and her parents told her doctors and hospital personnel that she was a recovering addict. It was reflected in her medical records in eight different places. However, it was not highlighted the same as it would be when you have any type of an allergy

or if you go in and they ask—the question is usually asked—are you allergic to penicillin? Then it is very much highlighted, to the point that a mistake would not be made. This was not done.

After Jessie's surgery, the discharging doctor said he didn't know she was a recovering addict and sent her home with a prescription for 50 oxycodone pills. She should never have been given a description for opioid medication in the first place, as she had asked when she entered the hospital.

With the passage of Jessie's Law, we have taken the critical step toward saying that this will never happen again. Jessie's Law will establish new standards for healthcare providers to ensure that when a patient provides information about their opiate addiction, that information is shared with their doctors and nurses and is flagged just like we would flag a drug allergy. Having this critical information will help ensure that healthcare providers can make medically appropriate decisions about pain management for recovering opiate addicts. This simple step could have saved Jessie's life, and we owe it to her memory to make the change and keep other families from experiencing the same pain.

It has been over 2 years. You would have thought this would have been done within 2 weeks. It is such common sense. I don't think anyone realized before that they could not or did not or were not responsible for or were not by law supposed to basically make sure that every record—every transcript that she had in that hospital should have been marked and highlighted so nobody could have missed it.

Jessie's story and her family's pain are all too common in West Virginia and throughout this Nation. In 2016, 884 West Virginians lost their lives due to overdose. We have the highest loss of life per capita in the Nation—the highest in the Nation. Every hour, five people die from an opiate overdose. With continued support and tireless work from everyone, we can beat this epidemic once and for all. Jessie's legacy will save people's lives and will prevent parents and families from dealing with the pain and tragedy of losing a child.

David and Kate, Jessie's parents, have been determined from day one to make sure Jessie's death wasn't meaningless, and I am honored to say that Jessie's legacy will live on for a long, long time—long after we are gone. I talked to David and Kate today, and I can't tell you how elated they were to know that it will finally pass in a piece of legislation we will be voting on shortly. It is going to save a lot of heartache and a lot of pain and the tragedy that families suffer.

This was a beautiful young lady, as you can see. She was very intelligent, very athletic. She just happened to fall into the pits of this horrible epidemic we have.

We thought when we first heard it that it was just an oversight, but there

are the HIPAA laws and all the different concerns that people have for privacy, and we weren't able to change it. The Presiding Officer, being a physician, knows how hospitals work and how the information is treasured and guarded. But this was one where we thought, my goodness, if there is an allergy, if you are allergic to penicillin—if I come into the hospital as a patient and tell you that I am a recovering addict, so please make sure that everyone in this hospital knows that I have had an addiction and that I still have addiction problems that I will have all my life, but I am recovering—Jessie was 6 months sober, and for some reason, it was not identified.

Jessie's legacy will live on and the courage her parents have had to fight this fight so that we all can share it with the rest of the country, and maybe save countless lives throughout the country and each one of our States, and all the parents who suffer through this.

The lives of David and Kate will be forever changed, but they have the beautiful memory of this beautiful young lady, 30 years of age, Jessie Grubb.

Thank you, Mr. President.

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

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

#### DACA

Mr. DURBIN. Mr. President, we are in the process of considering an omnibus budget bill. It is over 2,000 pages long. In fairness, it includes many provisions of legislation that has been worked on by many of us for months, so it isn't a surprise package, by and large. There are elements in it that are new and that have been recently negotiated, but the underlying bill—the appropriations bills included in it—has been the subject of committee hearings and negotiations literally for months. I know that because since last year, we have been working on the Defense Department appropriations, which is included in the bill.

My reason for coming to the floor, though, is to address an issue that is not included in the omnibus bill—one that I believe should be and one that is timely and compelling—and there is no reason why it is not included. It relates to those young people who were brought to the United States by their parents when they were infants, toddlers, children, and ended up in undocumented status in this country.

Some of them—a very small number of them—may have been smuggled across the border into the United States. More likely, a common situation is that they came here on a visitor's visa with their parents, the visa

expired, and they stayed. That accounts for almost half of those who are currently undocumented in the United States.

The difference is obvious. We are talking about children who really had no voice in their parents' decision about coming to this country and who literally grew up here, many times believing they were legal in the United States. It wasn't until later in life, usually when they were 10 or 12 years old, that their mothers and fathers sat down and said to them: We never filed the appropriate papers. You are undocumented in America. It means that your life is different from the lives of all the other kids you go to school with.

These kids may be worried about making the football team or getting an A in math, but then their parents say: You also have to be worried about somebody knocking on our front door and deporting our family back to some other country.

Your life in the United States could end at any moment. Be careful. Be careful not to violate the law. Be careful to keep your head down. Whatever you do, don't tell people that you are undocumented because it could subject you and members of your family to automatic deportation.

That is what they grew up with. Through no fault of their own, they were brought to the United States. They are living in this country. They are standing in classrooms in our schools, pledging allegiance to that flag every single day, yet not legal, not documented in the United States. They are undocumented.

Sixteen or seventeen years ago, I introduced a bill called the DREAM Act, which said that those young kids deserve a chance—a chance to earn their way to legal status, earn their way to citizenship. If they become part of drug gangs or criminal enterprises, so be it—they will forfeit any right to become any part of America's future; if not, if they are prepared to finish school and prepared to either continue their education, enlist in our military, or get a good job, we will give them a chance. That is what the DREAM Act said, and for 17 years, I have been trying to make it the law of the land, and I have fallen short.

President Obama, when he was a Senator here from Illinois, was my colleague, and he was my cosponsor on the DREAM Act. So when he became President and it was clear that we couldn't pass the DREAM Act in Congress, I asked him: As President, can you do something to help? And he did. He created the DACA Program.

Under the DACA Program, these young people could come forward, pay about a \$500 filing fee, and go through a criminal background check to make sure they were no danger to this country. If they passed it, they would be given permission under President Obama's Executive order—under the DACA order—to live in the United

States for 2 years at a time and then to renew their status. During that 2 years, they couldn't be deported, and they could legally work.

It was a big decision for a lot of these young people. Remember what I said earlier—that their parents had warned them: Don't tell the government who you are. Don't tell them where you live. They could use that information against you.

But 780,000 young people came forward, trusting this government—trusting that if we invited them to be a part of the United States on a renewable, temporary basis, it would not ultimately hurt them—780,000.

What did they end up doing? Most of them went to school, but going to school as an undocumented person in America is a different challenge. You don't qualify for one penny of Federal assistance—no Pell grants, no government loans—so getting through college under those circumstances means borrowing money from some other source or working jobs to pay for your education, which many of them did.

Over the years, these DACA recipients ended up graduating from school. There are 20,000 of them teaching in schools across America. They are the teachers in the grade school and middle school and high school classes, and they have DACA protection. Nine hundred of them volunteered to serve in our military. Think about that for a moment. They stood up and took an oath to serve the United States in the military and to literally risk their lives for a country that does not recognize their legal status. Nine hundred of them are in that circumstance.

Many of them have done amazing things in their lives. I have come to the floor and told maybe 100, 110 stories of these Dreamers. They are amazing young people. They are resilient; they are talented; they are promising; they are exciting. Yet they are not legal in the eyes of the law in America.

So we tried. We tried to make sure there was a way to protect them when the new President came into office. President Trump had said very clearly in his campaign that immigration was a big issue. He said a lot of things. Some of them were inflammatory, but, interestingly enough, he said several times that Dreamers are different. These young people are different.

He told me personally: Senator, don't worry about it; we are going to take care of those kids. I believed him. I was hoping he would find a way to either embrace the Dream Act or extend DACA so that these young people would have their chance.

But on September 5 of last year, President Trump made an announcement with Attorney General Sessions. He said: This is the end of DACA. This is the end of protection for these young people. By March 5 of this year, 2018, the program will no longer exist. He said to Congress: Do something about it. He challenged us to pass a law.

The March 5 deadline was looming. Young people were falling out of the

protection of DACA status, and their lives were uncertain. Some of them had quit school. They just didn't think there was any future or hope for them. Some of them faced the prospect of losing their job when they lost DACA protection. That was the reality.

So there we sat, with that March 5 deadline looming—a deadline we knew was important because that was when all protection and all renewals would end for many, many thousands of these young people. A number of us took it up as a challenge, six of us—three Democrats and three Republicans. We sat down for months to try to write a new DACA law—and then there was a breakthrough.

On January 9 of this year, President Trump called about 24 or 25 Democrats and Republicans, House and Senate Members, to actually come to a meeting at the White House in the Cabinet room. It was an interesting meeting. It was the fourth time I had ever spoken to President Trump, and he invited me to sit right next to him. It was a little surprising that a Democratic Senator would be allowed to do that, but he invited me to, and we spent an hour, with the television coverage constant, discussing this issue. The President said some things that were encouraging about what we could do to solve this problem—a problem he had created when he eliminated the DACA Program.

He said many things during the course of that meeting. He said: "We're going to do DACA, and then we can start immediately on . . . phase two, which would be comprehensive." He was referring to other immigration measures. Then he said: "We do a phase one, which is DACA and security, and we do phase two, which is comprehensive immigration."

The President added that as part of any immigration deal, he wanted to end the diversity visa lottery—a separate issue—and change our longstanding laws that have allowed families to stay together and eventually be reunited as Americans. He referred to this as chain migration.

When the President made that offer to solve the problem, which he had created when he eliminated DACA, several of us came back to Capitol Hill and said: We have to get this done.

We labored quickly and made some tough decisions, Democrats giving on some issues, Republicans giving on others. We came up with a bipartisan bill—just what the President had asked for.

We called him. It was 2 days later—January 11. I know; I made the call. I said: Mr. President, we have a bill. Senator GRAHAM, a Republican of South Carolina, and I, as well as four other Senators, have come up with a bipartisan bill.

He said: Bring it to the White House. Don't waste any time. I want to get this done.

That was at 10 in the morning. We were scheduled and went to the White



House at noon. By the time we arrived, it was pretty clear that something dramatic had happened in the meantime, because someone in the White House had invited five other Members of Congress from the Republican Party, all of whom opposed our effort. The meeting was pretty well stacked against us. I will not get into the detail of the meeting. It has been widely reported. But at the end of it, President Trump rejected a bipartisan approach to solving this problem.

It wasn't the only time he rejected a bipartisan approach. Senator SCHUMER and Leader PELOSI had offered him a similar approach before, saying: We can work together. It appeared they had an agreement, but it evaporated in a matter of hours.

We know, as well, that there were offers made of bipartisan approaches. Senator MCCAIN and Senator COONS offered a bill on the floor of the Senate. It was a good bill—not exactly what I wanted by any means, but at least it solved the problem. It was vehemently rejected by the Trump administration.

All in all, there were six different bipartisan proposals offered to President Trump to solve the problem he had created by eliminating DACA. He rejected every single one of them.

He sent to the floor of the Senate a bill offered by Senator GRASSLEY of Iowa. Senator GRASSLEY's bill embodied the President's approach to this. Now, understand the Senate's scorecard here. There are 51 Republican Senators and 49 Democratic Senators. So when the President called his own bill, one of our Senators, Senator MCCAIN, was away ill, but there were 50 Republican Senators and 49 Democrats who voted on that day.

How many votes did the President's immigration proposal get? Thirty-nine. The President got 39 votes. It was kind of a shock that the President's own party didn't support the President's bill—at least not all of them.

When we offered the one I supported, the plan offered by Senator ROUNDS and Senator KING, it ended up with 54 votes. Eight Republicans joined to have a bipartisan measure. But it wasn't enough; 54 votes will not do it. On an issue like this, it takes 60. So we have nothing—nothing. What that means is, in the eyes of the law, for the time being, these DACA-protected young people have no legal protection—save one other element.

While we were debating, the courts were also involved. Two different Federal courts issued an order to the Trump administration and said: Stop. Don't do another thing; don't deport these kids. In fact, allow them to renew their DACA status.

Former Senator Sessions, now the Attorney General, filed an emergency effort before the U.S. Supreme Court to stop that decision, and the U.S. Supreme Court rejected it. So now, today, there at least has been a postponement of deporting the young DACA kids. We don't know if that postponement will

last a week, a month, a year. There is no telling. It is a pending court case. That is the only thing that is stopping the deportation of these 780,000 young people. That is it.

The obvious question is, Well, why did you stop? If you failed to meet the March 5 deadline, why didn't the Congress—why didn't the Senate, why didn't the House—continue the effort to try to solve this problem? Isn't that what you were elected to do, Mr. Senator?

The answer, obviously, is: Yes, we should. But we haven't.

That is why I have come to the floor today. We have this 2,000-page bill that does not solve the DACA problem. We have this 2,000-page bill that addresses every subject imaginable but doesn't address the looming deadline we face in America. We are one court decision away from hundreds of thousands of young people being deported.

What do the American people think of this idea of undocumented people, here but not recognized by law? I will tell you what they think. Eighty-five percent of the American people believe we ought to do what is right and fair for these young people. They support the Dreamers, and they support giving DACA protection. Eighty-five percent—60 percent of those who voted for President Trump—say that we should fix the DACA Program.

But we have failed again. We have failed to do what the President challenged us to do, as he continues to reject every bipartisan proposal that has been brought before him—every one of them.

I am going to be making a unanimous consent request when this is over. I think I know how it will end. Any single Senator can object and stop the protection of these DACA young people, and one is prepared to do it. It is my understanding that he is going to demand that we instead pass the President's immigration plan, which received—remember—39 votes. Not even all of the Republican Senators supported it. It wasn't bipartisan in any way. There are provisions in the President's plan that are just plain wrong, and even 14 Republicans realize that and voted against it.

So here we are at this moment, with an important bill with many positive aspects in it for all of America, including my State of Illinois. Yet there is one critical element still missing. We have failed to include a provision to solve the DACA problem created by President Trump. His refusal to accept any bipartisan compromise leaves us emptyhanded and these poor young people struggling to figure out what their lives will be.

Last week, I was in the Chicago for what I refer to as high holy days in Chicago—the St. Patrick's Day weekend, with parades and parties and breakfasts and lunches. I skipped one of the traditional breakfasts to go out to Loyola University's school of medicine. The reason I went there is called

Match Day at medical schools. It is when graduates of medical schools apply for their residencies. Residency, of course, is a continuation of their education, leading up to their becoming actual practicing physicians. It is a huge day in each of their lives. They have gone through college; they have finished medical school; and now they wait for that letter that gives them a chance to finish their medical education.

I wanted to be there because six of the graduates of the Loyola University Chicago Stritch College of Medicine were protected by DACA. They are young people who are extraordinarily talented from all over the United States. They were given a chance to go to medical school, and here they were in a situation, waiting to see if they could become doctors. It turned out that because of our failure—because of the President's removing the DACA Program and our failure to pass a replacement, two of them have their residencies in doubt. A residency is a job. It is a big job. You don't just work 40 hours a week. It is sometimes 60 to 80 hours a week. It is a big undertaking. These young people, without DACA protection, cannot legally work in America and, therefore, found it next to impossible to find hospitals and universities that would take them and allow them to complete their medical education. That is the real-life consequence of our failure to act.

That is the real-life consequence of our failure to include in this omnibus bill—or any bill to this point—a solution to the problem created by President Trump. That is why I am going to make this unanimous consent request that will, in fact, pass the Dream Act, solve this once and for all, and create a law that protects these young people and others in similar categories—one that has been offered on a bipartisan basis in the Senate and one that I believe should be passed immediately.

UNANIMOUS CONSENT REQUEST—S. 1615

Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1615 and the Senate proceed to its immediate consideration. I further ask 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 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object, first, I thank Senator DURBIN for 17 years of work on this issue and for highlighting the reality that there are so many people who came here through the decisions of their parents—not decisions of their own. I, for one, believe they deserve a path to citizenship.

I felt so strongly about it that I did something I don't believe any Republican-only bill has ever done before. I filed a bill, along with Senator

LANKFORD, to do just that—to provide a path to citizenship not only to the 690,000 who had enrolled in the DACA Program but to some 1.2 million.

I believe we need to come up with a solution to this problem, and I thank Senator DURBIN for his dogged tenacity on this issue. I believe that if we continue to focus on it, we will succeed.

I just need to set a few facts straight. I know the majority leader is in the Chamber, and I will keep my comments brief.

I was in that January 9 meeting as well. In the January 9 meeting, we had an extraordinary meeting, and most of it was on tape. But the reality is, in the January 9 meeting, we walked away with an understanding that there were four pillars on which we were going to build a bipartisan bill. The President looked to the whips in the minority and the majority, and he said: You guys get together, produce a bipartisan bill, and I will support it.

The goal was to go out and have everybody get together with the diverse interests that were represented in the room and come up with that bipartisan bill. We have to talk about “bipartisan.” A bipartisan bill is not a bill that gets just Republicans and Democrats on it. A bipartisan bill is a bill that gets up to 60—at least 60—Republicans and Democrats on it. About a month ago, we came to the floor and had four bills. There was no open debate. It was just an up-or-down vote. That is why it failed. It also failed when there were supermajorities, when President Obama was in place, when not a single Republican vote was necessary. That is why President Obama issued the DACA Executive order.

President Trump did not create this problem. It was the inaction of Congress and even a Democratic-controlled Presidency and supermajority-controlled Congress that couldn't solve this problem for whatever reason.

On the bill that we had, we had three Democrats vote. I guess I could argue that 39 votes were Democrats. That was a bipartisan bill, but it was a bill that didn't get 60 votes.

I hope we will continue to work on this issue so that we can provide certainty to the DACA population. It is not too late to do it. I think about the Dreamers every single day. They deserve a path to citizenship. The President deserves to be able to look the American people in the face and say he secured the border and made the homeland safer. I think we can work on some of the legal immigration issues that can actually get this solved.

Senator DURBIN, I look forward to working with you, and let this be the Congress where we actually solve the problem.

UNANIMOUS CONSENT REQUEST—H.R. 2579

Mr. President, at this time, I ask unanimous consent that the Senator modify his request and the Senate resume consideration of H.R. 2579; I further ask that the pending amendments be withdrawn with the exception of the

Grassley amendment No. 1959; and, finally, I ask that the Grassley amendment be 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 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. DURBIN. Reserving the right to object, Mr. President, I thank the Senator from North Carolina, and I believe he does have a genuine interest in this issue. I attended several of our meetings to discuss a bipartisan compromise, and I hope we can continue to do that. In the meantime, though, what he has offered is the Grassley approach, which was President Trump's immigration approach, which limited legal migration to the United States and members of families who wanted to be reunified, some of whom have waited 10 or 20 years to rejoin their families in the United States. Unfortunately, it also included the \$25 billion wall, which may be the price that has to be paid to spare these young DACA Dreamers, but I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. TILLIS. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maine.

UNANIMOUS CONSENT REQUEST—H.R. 1625

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate proceeds to the consideration of the House message to accompany H.R. 1625, the omnibus appropriations bill, the Collins-Alexander amendment at the desk be considered and agreed to.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, I want to take a moment to talk about how we got to this point and why I am hopeful that, despite the Republican leader's decision to once again scuttle bipartisan negotiations on health stabilization, we can return to the table and work together to do what patients and families want; that is, to strengthen healthcare and lower the premiums next year.

Chairman ALEXANDER had said that in September every Democrat in the Senate was ready to pass the original Alexander-Murray legislation, and he is right. We wanted to work with Republicans to undo as much of President Trump's healthcare sabotage as possible because of how it is hurting families and forcing them to pay more for care. Unfortunately, Senator MCCONNELL blocked our bipartisan agreement because he wanted to pressure his caucus into supporting yet another harmful Republican repeal bill. That TrumpCare bill failed, and I was again hopeful that after it did, we could make progress on our bipartisan legis-

lation. Instead, Senate Republican leaders opted to do the exact opposite. They jammed through a terrible tax bill that actually raises families' premiums to pay for tax cuts for massive corporations. Even after that, I and Democrats were still at the table and ready to do what we could to stabilize markets and lower families' healthcare costs.

Imagine my frustration when, at the very last minute—just days ago—Republicans leaders once again made clear that they didn't want to lower families' premiums. They didn't want to stabilize a healthcare system that, as one House Republican said, they never supported anyway. Senate Republicans opted, instead, to surprise Democrats with a new, last-minute partisan proposal, the so-called stabilization bill, which included poison pills that Republicans knew Democrats would never agree to.

The partisan bill that Republicans surprised us with would undermine access to care for people with preexisting conditions by writing President Trump's junk plans rule into law and by taking away protections included in our original agreement with Chairman ALEXANDER to make sure that the sickest patients don't find themselves in a dramatically more expensive market.

This partisan bill also pulled the most worn page out of the Republicans' ideological playbook—making extreme, political attacks on women's healthcare. This partisan bill would take huge steps beyond current law, making it so women can't even buy abortion coverage using their own money.

From the start of negotiations last fall, I made it abundantly clear I will not allow women's reproductive freedoms to become a political football in these conversations. I also made clear that I understood, like it or not, that current prohibitions on taxpayer funding for abortion services would apply to our agreement. But that is not what this is—not at all.

I think that was made pretty clear when Republicans surprised us with this last-minute change in a press release without inviting any Democrats to join. I believe, and I think most people would agree, that the massive expansion of restrictions on women's access to safe, legal abortion we see in this partisan bill has nothing to do with lowering families' premiums or making healthcare work better in our country. That is not something that was in our original deal that had bipartisan support, and it is not something that should be in this bill now.

I am extremely disappointed that we have reached this point, but it does not mean I am giving up on getting this done. I know many Republicans have said that this is the end of the road for bipartisan negotiations on healthcare, but it is only if they choose that route.

Today I am laying out what I hope Republicans and Democrats will ultimately be able to agree on. This is legislation that includes current law prohibitions on taxpayer funding for abortion—what Senate Democrats and Republicans agreed was acceptable months ago. It would take strong steps to lower premiums and make healthcare more affordable for patients. It would hold protections for people with preexisting conditions, as so many Republicans and Democrats have said we need to do.

We are frustratingly close to an agreement, and I still do believe we can get there. This shouldn't be about the blame game. It should not be about pointing fingers. This has to be about getting results.

I hope Republicans and Democrats will join me in supporting the amendment I am offering today, and even if they don't, I hope we can get back to the table and resume talks. I truly believe there are Republicans who want to do the right thing for patients and families, even if their leadership is determined to avoid a real debate and vote on the so-called ObamaCare bailout. Our work last fall showed that we can reach an agreement when we put aside partisan politics and focus on what is best for our families. I am ready to get back to work to get that done.

I object to the pending unanimous consent request.

UNANIMOUS CONSENT REQUEST—H.R. 1625

I ask unanimous consent that when the Senate proceeds to the consideration of the House message to accompany H.R. 1625, the omnibus appropriations bill, the Murray amendment that is now at the desk be considered and agreed to.

The PRESIDING OFFICER. Objection is heard to the first request.

Is there objection to the request from the Senator from Washington?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, this has been a very disappointing moment. Senator COLLINS is asking to pass an amendment that would not seem to be terribly controversial. As we have heard my colleagues state this afternoon, the Alexander-Murray-Collins-Nelson proposal would lower health insurance premiums—dramatically, in some cases—for American individuals and families. This assistance would be especially helpful to the middle-class families whom ObamaCare has hit the hardest.

How do my colleagues propose accomplishing this worthy goal? Through another top-down, one-size-fits-all scheme cooked up here in Washington? No, their legislation is designed to encourage new thinking and creative policymaking at the State level, through the expansion of section 1332 State innovation waivers and high-risk pools. It would end the practice of silver-load-

ing, which unnecessarily costs the taxpayers tens of billions of dollars. It includes Hyde amendment language that has been commonplace for decades, going back to the 1970s, preventing taxpayer dollars from funding abortions. Apparently, that commonsense provision is suddenly just a bridge too far for some of our friends across the aisle.

For months, my colleague from Maine has led a bipartisan effort to bring common sense back to Americans' healthcare. Along with Senator ALEXANDER, she has brought together Senators with different viewpoints and made real progress toward fixing the glaring failures of the current system. It is especially disappointing that their efforts are being blocked precisely when they stand the greatest chance of helping millions of Americans. It is not entirely surprising that my colleagues across the aisle are happy to talk the talk about lowering premiums for working families, but they refuse to actually walk the walk when given a golden opportunity. But it sure is disappointing.

Mr. President, I ask unanimous consent that I be added as a cosponsor to the Collins-Alexander amendment.

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

#### TARGETED REWARDS FOR THE GLOBAL ERADICATION OF HUMAN TRAFFICKING

Mr. MCCONNELL. Mr. President, I understand that the Senate has received a message from the House to accompany H.R. 1625.

The PRESIDING OFFICER. The majority leader is correct.

Mr. MCCONNELL. I ask that the Chair lay before the Senate the message to accompany H.R. 1625.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendment of the Senate to the bill (H.R. 1625) entitled "An Act to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes.", with an amendment.

MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment to H.R. 1625.

CLOTURE MOTION

I send a cloture motion to the desk on the motion to concur.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1625.

Mitch McConnell, John Cornyn, Susan M. Collins, Lamar Alexander, Pat Roberts, Orrin G. Hatch, David Perdue, Lindsey Graham, Thom Tillis, Lisa Murkowski, Shelley Moore Capito, Richard Burr, Mike Rounds, John Hoeven, Rob Portman, John Boozman.

MOTION TO CONCUR WITH AMENDMENT NO. 2217

Mr. MCCONNELL. I move to concur in the House amendment to H.R. 1625, with a further amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to the Senate amendment to H.R. 1625, with an amendment numbered 2217.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end add the following.

"This Act shall take effect 1 day after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2218 TO AMENDMENT NO. 2217

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2218 to amendment No. 2217.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "1 day" and insert "2 days"

MOTION TO REFER WITH AMENDMENT NO. 2219

Mr. MCCONNELL. Mr. President, I move to refer the House message on H.R. 1625 to the Committee on Appropriations with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on H.R. 1625 to the Committee on Appropriations to report back forthwith with instructions, being amendment numbered 2219.

The amendment is as follows:

At the end add the following.

"This Act shall take effect 3 days after the date of enactment."

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2220

Mr. McCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 2220 to the instructions of the motion to refer H.R. 1625.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike "3 days" and insert "4 days"

Mr. McCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2221 TO AMENDMENT NO. 2220

Mr. McCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 2221 to amendment No. 2220.

The amendment is as follows:

Strike "4" and insert "5"

Mr. McCONNELL. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

HEALTH INSURANCE

Mr. ALEXANDER. Mr. President, the Senator from Washington knows the deep respect I have for her, and we have worked together on some important legislation on our committee when we have had differences of opinion, including on the 21st Century Cures legislation and No Child Left Behind. Yet I have to say, with all due respect, the last 7 months of working with the Senator and the Democrats on trying to fix the Affordable Care Act, as they have asked us to do, has been the most frustrating time in my 16 years in the Senate.

For example, she made three points.

One is that the Democrats were unhappy that we had reduced taxes and repealed the individual mandate. We know they are unhappy about that, and we know it raised individual rates somewhat, maybe as much as 10 percent. OK. That was last year. So what are we supposed to do—not work to reduce rates? We continue to work to reduce rates.

According to the Oliver Wyman experts, the proposal Senator COLLINS and I have put on the floor, which is basically a combination of bipartisan proposals, would reduce rates by up to 40 percent, taking into account what we did in the tax bill. The CBO, the

Congressional Budget Office, said it would reduce rates by up to 20 percent. That is the first point.

I understand the Democrats don't like to cut taxes, and they don't like to get rid of the individual mandate, which is a tax on a lot of poor people, but they have to get over that at some point. If you think it raised rates, let's cut rates. We have a proposal to cut rates on plumbers and songwriters who pay for their own insurance by 40 percent. So that is not a very good excuse for blocking this rate decrease.

The second thing is, the distinguished Senator from Washington said the Collins-Alexander proposal interferes with preexisting condition. It does not. Only someone who hasn't read the bill carefully could think about that for a moment. I mean, we deliberately made sure the proposal we would present would not disturb the essential health benefits, which most of us would like to do, and most of them would not. It does not change the pre-existing condition requirement.

It does codify the proposals the President made on short-term insurance, at the suggestion of the Democrats, who were afraid the President might be able to do some things. What we were trying to do was limit what he could do, to say the States have the responsibility, and to make sure the consumers knew what they were buying. After all, the short-term plans, which the Democrats don't like, can only be done if States choose to do them. They were afraid the President might do them, so we made sure he could not. So that is not an issue.

The third thing is in terms of the Hyde amendment. Now, the Hyde amendment is a very simple amendment. Usually, when you oppose something, you just stand up and say: Look, this is the reason I am opposing it. You may disagree with me or you may not, but this is my reason.

This is the only reason the Democrats are blocking this 40-percent rate reduction. They have said so publicly and privately. That is it. That is the only reason. They don't like applying the Hyde amendment to health insurance in this bill. If they don't, fine. That is their prerogative. I respect that. I don't question their motive, and I don't question their right to do it. I would just like for them to stand up and say that is what they are doing. Then they can explain to the American people what sense that makes.

We have been working for 7 months to develop this proposal that includes two parts. One is fundamentally the Alexander-Murray proposal that Senator SCHUMER said every single Democrat would vote for, and the other part is 3 years of reinsurance at \$10 billion a year. That is it. Those are bipartisan ideas. The only issue is, shall we also apply Hyde to it?

What we have planned to do for the last several months is to put it in this bill that we are voting on today, the omnibus bill, to which the Hyde lan-

guage has applied since 1976. What that means is, the Hyde language is a compromise. It says you may not use Federal funds for elective abortion, but it makes clear that States, individuals, churches, and nonprofits may pay for elective abortions. That is the compromise. We counted them up. The Hyde language applies to more than 100 Federal programs that the Democrats will be voting on today.

The Democrats will be voting today on applying the Hyde language to the National Institutes of Health, but Senator MURRAY is saying they can't apply it to a 40-percent health insurance rate reduction. They will be voting to apply the Hyde language to community health centers, but she is saying, no, they can't apply it to a 40-percent health insurance rate reduction. They are going to be voting to apply it to the Federal Employees Health Benefits Program—that is for all of us who get insurance, all the Federal employees—but that they can't apply it to a health insurance rate reduction. We are going to apply it to Federal family planning grants under title X, but for some reason, we can't apply the same law to a health insurance rate reduction. I can go down that list, as I did earlier, but I will not read the whole thing. There is the VA, global health programs, the Ryan White school-based health centers.

The Democrats have voted for Hyde protection hundreds of time. What the Democrats are arguing is, when they had 60 Senators here and President Obama and a Speaker of the House named PELOSI, they passed the Affordable Care Act, and they watered down Hyde for the purposes of the Affordable Care Act. They want that language. No Republican has ever voted for that language in the Senate. The Democrats have voted hundreds of time for Hyde.

How can we continue, how can we expect to make any progress in fixing the Affordable Care Act if the Democrats will not apply the Hyde language to any funding under it? I don't see any prospect for it.

I don't like the insinuation that I have walked away from anything. Most of the Republicans are usually willing to work with the Democrats, and I have spent hundreds of hours. I walked over to the Senator on the night we failed on repeal and replace and said: Let's do something. We had long discussions. We had hearings to which half the Senate came. Everybody was just cheering. It was like going to summer camp. Why don't we do more of this? So we did it, and we came up with something the Democratic leader said everybody could vote for over there. Then they got mad about the tax cut. OK. They can be mad but not forever, maybe.

So we came up with a cure for that. We got a 40-percent rate reduction despite what we did in the tax bill. All we want to do is to apply to this health program the same health program that every Democrat who votes for this bill

will be applying to every other health program today. If they will not do that, how can they stand up and say they expect to make progress on fixing the Affordable Care Act? I don't know any way to do it.

I am as willing as anybody to try to work things out here, but I am no magician. I greatly respect the Senator from Washington and enjoy working with her, but on this issue, I think we have reached an impasse. They have yet to give us any language at all that applies to the Hyde language. All of their suggestions are saying: We want to do what we did when we had 60 Senators, a President of the United States, and NANCY PELOSI as Speaker. Well, they may want to, but that is the one time that ever happened, and here we are today—with no one objecting on the Democratic side.

I mean, should I offer an amendment to take the Hyde language out of applying to the National Institutes of Health? Why don't they offer to take it out of family planning grants under title X? That should be just as offensive as applying the Hyde language to health insurance.

I don't understand this. They have been scrambling around all day. The staff has been putting out memos. They are making up things. They are misleading, and they are misreading. They are making excuses. There is only one reason. They are blocking a 40-percent health insurance rate decrease for the plumber who is making \$60,000 and paying \$20,000 for his insurance. We could cut that \$20,000 insurance to \$12,000 over the next 3 years. That person is hurting, and the Democrats are blocking that. They will say: We will apply Hyde to everything else but not to the rate decrease for that plumber. I don't understand it, and I don't see any way to make any progress on it as long as they take that position.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Maine.

Ms. COLLINS. Mr. President, I want to make three points in response to the objection that was raised by my friend and colleague from Washington State.

The first is timing.

According to the Senator from Washington, we have all the time in the world. Regrettably, that is not true.

Starting next month, insurers are beginning their calculations on what rates they are going to charge for insurance policies on the individual market next year. They are also making the decision as to whether they are even going to sell in particular counties across this country. There is already not much competition, so the time is urgent for us to act. Those rates get approved by the State insurance commissioners, and they are published on October 1. So the idea that we have tons of time to take care of this problem is just not accurate.

Indeed, as Senator ALEXANDER just said, the chairman of the HELP Committee, the HELP Committee has spent months on these concepts, has worked

really hard on these issues, and has had extensive hearings and roundtables and discussions. The one thing we do not have is time, and that is why the National Association of Insurance Commissioners has urged us to act on this bill.

The second is the concept that somehow this bill has brandnew concepts in it. The only thing that is new is the amendment that was just filed by the Senator from Washington State. I have no idea what is in that. It was not shared with me. To my knowledge, it was not shared with the Senator from Tennessee. I have no idea whether it covers cost savings reductions that help our lowest income people pay their copays and deductibles. I have no idea what it does to silver-loading, whereby insurers jack up the prices of silver plans in order to draw down more Federal dollars. I have no idea what it does on a whole variety of issues because I have never seen it.

By contrast, the language of the Collins-Alexander proposal was shared with the minority. Indeed, I have had several discussions with the Senator from Washington State about the language, and all of the concepts in our bill have been debated. Hearings have been held on them. They have been talked about extensively. They are not new. There was a change in the reinsurance provisions, which I authored with my friend and colleague, the former State insurance commissioner from Florida, Senator NELSON, and that was to add a third year to the reinsurance.

I would have thought my Democratic friends would have been thrilled with that—a third year. That was at the suggestion, I would say, of Congressman COSTELLO and Congressman WALDEN in the House.

We also put in a Federal backstop so every State could be assured of the benefits of reinsurance in the next year, even if they had not had time to file the application for a waiver under section 1332. Again, that is a concept my Democratic friends were pushing for us to include. It was one that I, frankly, had reservations about, but that is in there. So those are two changes in the reinsurance that our Democratic colleagues, I would think, would be applauding because it helps to drive down rates.

Third, I hear from my Democratic colleagues that this is an enormous change in the application of the Hyde amendment because it applies to commercial insurers. That is just not true. The Hyde amendment already applies to the Federal Employees Health Benefits Program. That is the insurance program for 8.3 million Americans who are Federal employees, spouses, or family members of Federal employees, or retired Federal employees—8.3 million. How does the Presiding Officer think that program is administered? The answer is, it is administered through commercial insurers like Blue Cross Blue Shield, United Health Insur-

ance, and many others. This is not the first time, and the language actually for the Federal Employees Health Benefits Program is more strict than what is in the bill we have proposed. So the idea that this is some new approach is just not accurate.

The Federal Government spends about \$1 trillion on healthcare through various programs—its share of Medicaid, Medicare, VA programs, the Children's Health Insurance Program, the TRICARE Program, the Federal Employees Health Benefits Program. It is about \$1 trillion. Guess what. That is 100 times more than the amount that is covered in this bill—100 times more. So this is not a new concept in any way.

The reinsurance provisions and the cost-saving reductions have been discussed for months in the HELP Committee, both formally in hearings where, by the way, there was widespread support for them and in informal roundtables and in Senator-to-Senator discussions.

Make no mistake about the stakes here, if we do not act—and it appears, due to the objection on the Democratic side, that we are not going to act—insurance rates will go up on October 1. That is going to hurt everybody who has to buy insurance who wants to be insured and has to buy through the individual market because they don't get insurance through the workplace. That is going to hurt very low-income people. That is also going to hurt those who receive no government help at all and do not have employer-provided insurance because they are self-employed.

Why don't we want to take advantage of this opportunity to decrease insurance rates by as much as 40 percent over the next 2 years?

Do you know how welcome that would be by the people in my State of Maine? Maine is a low-income State. We don't have Microsoft headquarters in the State of Maine. We are a low-income State. We need insurance rates to fall. This bill would do it. Oliver Wyman, the well-respected healthcare consulting firm, has verified that rates would fall. The CBO says premiums would be less, and Oliver Wyman says 3.2 million more people would be insured. Surely—surely—this should be a goal we can all embrace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, let me say to my colleague, the chairman of our committee, the Senator from Tennessee, through the Chair, that I greatly respect the rapport I have with him, the working ability we have shown time and again through issues like Cures and ESSA and all the bills we have worked on and will continue to work on. I have that respect and admiration for him, and I want him to know I will continue to do that because I believe in legislating, and I know he does as well. I share that respect.

To the Senator from Maine, through the Chair, I would also say I have a lot

of respect for the Senator from Maine and her passions and her goals on this as well. I say to both of them, this is an issue I care about deeply. I would not have sat down with any one of them to work on a bipartisan solution to the dilemma we found ourselves in throughout the last year as repeated decisions were made that undermine the security of people in terms of their ability to afford quality healthcare and a marketplace that was increasingly seeing uncertainty. I believe in those goals, and I know they do as well.

I remain committed to getting this done. I agree timing is everything, and we have been working on this since September. I regret the actions that were taken that we were not able to put this forward in September or December, and we are here now at this point.

I will state, as to the language that has been added, obviously and clearly, there is a real divide on how it is read, how it is interpreted, and how it could be applicable. That is our objection. I say to my colleague, my chairman, through the Chair as well, that we had offered him language on Friday that did indeed deal with the Hyde amendment. No one here said we cannot have that, but we have language that exceeds, in my opinion—I know that is not shared on the other side—but in my opinion extends well beyond into the private marketplace, where I think there is a line the people would not support, and I certainly can't myself.

In addition to the other language dealing with people's ability to protect their preexisting conditions, we clearly have a divide on how that is interpreted, but that does not preclude our ability, if we agree on the goal of stabilizing the marketplace and ensuring that we can do the CSR payments, that we can do the reinsurance program the Senator from Maine has championed, and rightfully so—and I hope we can all agree that moving on from here, we would return to that bipartisan proposal, not partisan proposals, and move to get this done.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, first of all, I think the session led by Senator ALEXANDER and Senator COLLINS on the cost-sharing has been very helpful and shows the impact that would have if we went forward with it, but I want to talk about the funding bill itself.

The first and foremost thing this bill does is it makes critical investments to keep Americans safe. It is the largest annual defense increase year-to-year in 15 years. It provides a pay increase for those who risk their lives in service to us. When we send our men and women who are willing to do that job in harm's way, we ought to do everything we can to ensure that they have every possible advantage. We don't want Americans to be in a fair fight. We want Americans to be in an unfair

fight because we have stacked the fight in favor of people who are defending us.

We lost the advantages we had over the last 10 years. We clearly have not funded the military at the level it needed to be funded. We haven't provided the training dollars. We let the equipment get old. I would like to think I have consistently been on the other side of that debate.

We see what happens when we lose that advantage. We lost 80 personnel this year and last year, 2017, in accidents—in training accidents and other accidents—where people are asked to do too much for too many hours without enough training on the kind of equipment they are going to be using. We had 80 people lost in those accidents—four times as many people as were lost in combat. We can't continue to let that happen.

That is what this bill does. It turns the page after a decade of inadequate funding, a decade of diminished readiness, a decade of training that wasn't what people should have been expected to have before they were expected to do the things we asked them to do.

This bill makes the equipment better, it strengthens our military defense, it strengthens our missile defense, it funds new weapons systems, and invests heavily in measures designed to counter the threats such as ISIL and North Korea.

It begins to upgrade U.S. military strength with funding increases for shipbuilding, for aircraft procurement and maintenance. Some of the aircraft we make—the Growlers and Super Hornets—in Missouri, and there are lots of small suppliers that are a part of that readiness chain that are jeopardized when we decide we are not going to keep our equipment up-to-date or repaired.

This bill has a pay raise for the military men and women that they deserve. It also deals with veterans. In my State, we have 500,000 veterans. I am proud to see this bill provides a record level of Veterans' Administration funding but also continues down the path of being sure veterans have more choices. There is no reason to drive by three hospitals that are really good at something that the veterans hospital you are going to may not be as good at. There are things veterans hospitals should be better at than anybody else. They should be better at post-traumatic stress. They should be better at IED attacks, where eyes and limbs are hurt. Always the veterans hospitals have been as good as anybody on prosthetics when people have lost legs and lost arms. That is part of what veterans uniquely are likely to have happen to them more than others. There is no reason to assume they should be as good at kidney dialysis or open-heart surgery. There is every reason to assume, if they want to go somewhere that really is good at this that is closer to where they live, they should be able to do that.

This bill funds either the construction or the repair and backup of almost

100 miles of the wall that the President talked about at the border.

It provides the money to keep the Guantanamo Bay detention facility open. It has the Fix NICS component, particularly with Federal agencies. It was a shock to me and others, as we have looked into this, that so many of the problems with reporting to the background check system have been through Federal agencies and the military failing to report the kinds of things that clearly would be reported if they had happened in a civilian environment. Fix NICS does that, providing incentives for States to figure out how to make their reporting better.

This includes the Hatch and Klobuchar safe schools language that talks about how to stop school violence, early intervention, military mental health awareness. In my State, at least, we have been leaning on something called mental health first aid, where teachers and others who work with young people are not turned into psychiatrists or psychologists but in a fairly intensive, but short, period of time are given some of the key things to look for to then try to connect that young man or woman with the kind of help they need.

The equipment that could be available for better securing schools would be available in new ways under this bill, if we pass it. Some of that is in the education area. I am on that subcommittee with the Presiding Officer.

The labor, the health and human services, and the education components of the bill are strong—what we are doing for the third year straight in healthcare research. Until this year, every time we made that new commitment to healthcare research, after 12 years of no increase at all, we did it with no new money. It was purely prioritizing this as an important thing. With this year's bill, the bill we will pass today, we will restore 22 percent of funding that the NIH lost in research buying power in the previous 12 years, where not a single new penny went to healthcare research beyond what they had before—whether it is Alzheimer's, cancer, or the BRAIN Initiative. We just simply know a lot more than we knew a dozen years ago about the human genome, about the individual impact of cancers, about getting your own system more aggressively fighting back, by sort of amping up your own system's response. Your system and mine, we have a response to those cancerous attacks, but usually it is quickly overwhelmed by the cancer itself. It doesn't have to be that way because research has led the way on that.

This bill is not perfect. I could go through the bill—every one of us could go through the bill and find something in there that we individually don't like. That is part of the legislating process.

Going back to my earlier comments, it is a different decision to be made when you decide: I am absolutely committed to defending the country, but I

am going to find something in the bill that funds that that I can be against, so even though I can be for defense, I don't have to explain anything I am not for.

I would rather we brought these bills to the floor one at a time. I am lucky—I hope—fortunate to be on the special committee that was just appointed to try to figure out a way to make the budget and appropriations process work in a way that this might be the last time we have all this in one bill. It didn't used to be that way. It has been that way for about 10 years now. It needs to stop. Every Member needs to have a right to be able to amend these bills, to bring them to the floor one at a time or two at a time, have a real debate, and put them on the President's desk as we pass them, not to wait until 6 months after the new spending year begins and then have one big bill and have no real impact on what is in that bill in ways we would like to—at least vote on having it changed.

It is not perfect. There was right-to-conscience language, where healthcare professionals who didn't want to be part of a particular procedure that would generally be a life-ending procedure because of their personal conscience and faith beliefs—you would think that could have made it in this bill, but it didn't. I would be much happier about voting on this bill if it were there, but it is not there. So I can find things that aren't there that I would like to see in this bill. I can certainly find things that are in the bill that I would prefer not to see us go forward with. But that is the process of democracy. That is the process of legislating. You have to look at the alternatives before you.

If we are going to make the kind of commitment to our national defense and the men and women who defend us that this bill makes, if we are going to make the kind of commitment to healthcare research and school safety that this bill makes, the choice today is to vote for the bill sometime before the continuing resolution runs out tomorrow or to think of how you could have done this in a better way. I think we all can think of better ways to do this.

Moving forward here, it is important that we have made a commitment to the opioid crisis we are seeing in the country. More people now die from drug overdoses than in car accidents. Drug overdoses have become the No. 1 cause of accidental death in the country today.

We have \$1.5 billion in flexible spending for the States as part of the \$3 billion being spent to fight the opioid crisis in the next year. About 15 percent of that \$1.5 billion is going to go to the States that have the biggest problem. There will be some allocation to every State because every State has a problem, but some States have bigger problems. For the first time in this fight, with the good advice of Senator SHAHEN, Senator CAPITO, Senator

PORTMAN, and others, we are factoring in a way to get more money quicker to the States that have big problems.

There is also money for the National Institute of Health to research new ways to respond to drug overdoses so that more people survive the overdose and research different ways to deal with pain so that people don't get addicted to the things they are addicted to now and either die from overdoses or move to even more dangerous drugs. And people who don't die from an overdose can see their lives crumble in front of them even if they are fortunate enough to recover from the addiction they became part of. This is a national crisis, and this bill views it as a national crisis.

Whether it is a domestic crisis, like opioids, or an international crisis, like our failure to defend ourselves in a way that people who defend us would expect us to be willing to do—this is a bill that overall deserves to be voted for. I intend to vote for it. I intend to start tomorrow trying to have a bill next year that not only comes to the floor in a different way but also corrects the problems that I think could have been better served in the bill we have before us today.

With that, Mr. President, I yield the floor.

Mr. HATCH. Mr. President, the prospect of retirement has imbued me with a sense of urgency as I have never felt it before. With just a few months left in office, I have an ambitious agenda that I am committed to getting across the finish line, and with the passage of this year's spending bill, I am grateful to be several steps closer to that goal.

In my first Senate address after announcing that this term would be my last, I made clear my intentions for my final year in office. I promised to be on the Senate floor, early and often, pushing the most critical reforms of this Congress, and I have been. I promised a flurry of legislative activity from my office, and you have seen it.

Anyone who wants to count me out doesn't know that I have a dedicated staff determined to drive this old workhorse into the ground, and with the passage of this year's omnibus, our efforts are beginning to bear fruit. True to my promise in January to go big and to go bold, I have been hard at work over the last few weeks to include in this year's spending package a number of legislative priorities that will make a meaningful difference for millions of Americans.

I wish to thank the majority leader, the majority whip, the Speaker of the House, and their respective staffs for going extra lengths to help me attach several of these signature initiatives to the bill we will soon pass. Whether it is historic legislation to prevent school violence and improve our background check system or bipartisan measures to empower law enforcement and strengthen our rural communities, this omnibus encompasses a number of policy victories that will greatly benefit both Utah and the Nation.

Let me begin with the Clarifying Lawful Overseas Use of Data Act, or CLOUD Act. This critically important legislation will create a workable framework for law enforcement to obtain data stored overseas while at the same time protecting providers from conflicts of law and encouraging other countries to strengthen domestic privacy standards. This bill is a win for law enforcement, for the tech community, and for the Trump administration as well.

Passage of the CLOUD Act is the culmination of more than 4-years of hard work. My first foray on this issue was the Law Enforcement Access to Data Stored Abroad Act, or the LEADS Act, which I introduced in September 2014. I continued my work last Congress with the International Communications Privacy Act, or ICPA. Then, earlier this year, I introduced the CLOUD Act with my good friends Senator COONS, Senator GRAHAM, and Senator WHITEHOUSE.

Among other things, the CLOUD Act authorizes the United States to enter into bilateral agreements with other governments to set clear standards for requests for digital evidence. Under these bilateral agreements, the United States agrees to lift its blocking statute on disclosure to foreign law enforcement if the other country similarly agrees to lift any such bar it has on disclosure to U.S. law enforcement. Moreover, the CLOUD Act requires that any order issued by a foreign government on a U.S. provider be subject to judicial or other administrative review before the provider can be forced to turn over data.

I am hopeful that the U.S.-U.K. bilateral agreement framework outlined in the CLOUD Act will serve as a model for future agreements between the United States and other countries. Expediently implementing similar agreements with the European Union and our other allies is critical to protecting consumers around the world and facilitating legitimate law enforcement investigations.

The CLOUD Act gives law enforcement the tools they need to keep us safe. So, too, does the STOP School Violence Act. We started working with families from Sandy Hook on this bipartisan bill several months ago. They had some great ideas for making our schools safer including school threat assessment teams; anonymous reporting systems; and training for students, teachers, and law enforcement to prevent future violence. We engaged with stakeholders from the security industry about school security infrastructure improvements. These and other evidence-based strategies and programs to improve school safety formed the foundation of the STOP School Violence Act.

We were refining the bill and shoring up bipartisan support when tragedy struck at Marjory Stoneman Douglas High School. This certainly increased the urgency of the legislation, and I

welcomed the help and advice of the families from Parkland as well.

I can't even imagine how I would react if something like that happened to one of my children, so it has been incredible to see these families from Sandy Hook and Parkland channel that grief and anger into unifying action. In particular, I would like to thank Ryan Petty, Patrick Petty, Kyle Kashuv, and so many other outstanding individuals who shared with us their unique perspective on the issue of school violence. Without them, this bill would not have become a reality.

Despite everything people like Kyle and the Pettys' went through, they came in with the attitude of wanting to find common ground and bring people together. These families from Parkland came in wanting to make a difference, saying this time had to be different, and very soon, they can say that they helped pass a historic bill that will save hundreds, if not thousands, of lives.

In the spirit of keeping young people safe, I am glad we were also able to get my Child Protection Improvements Act included in the omnibus. The objective of this bipartisan bill is simple: to better protect the most vulnerable in our society, namely, children, the elderly, and individuals with disabilities.

The Child Protection Improvements Act amends the National Child Protection Act of 1993 to make permanent a pilot program originally created by the Adam Walsh Act. This program ensures that organizations that serve children, the elderly, and individuals with disabilities have access to FBI fingerprint background checks for their employees, volunteers, and coaches. My hope is that this bill, which is broadly supported by youth-serving organizations and law enforcement groups, will save many lives and better protect those who cannot protect themselves. Giving permanency to this background check program is an important step in keeping children and the defenseless safe from violent criminals and sexual predators who might otherwise slip through the cracks.

Also among our Nation's most vulnerable are those struggling with addiction to opioids. Opioid abuse in our Nation has reached epidemic levels, leaving in its wake a trail of tragedy and shattered life. Few are immune to the devastating effects of addiction. For many, dependency begins with a painkiller prescription in the aftermath of a surgery or serious injury. Against their own will, patients develop an addiction to pain medication that leaves them craving more. Over time, feeding this addiction becomes increasingly difficult, pushing many to look for a harder fix. Some even turn to heroin, spurring a rapid descent into despondency from which few return.

To combat this harrowing epidemic, the omnibus more than triples the Federal resources devoted to the opioid crisis, allocating billions of dollars to opioid prevention, treatment, and en-

forcement. Moreover, the omnibus increases NIH funding to research new advances in healthcare and medicine, as well as alternative pain management options. My home State of Utah is a leader in this field, and this bill will give researchers the resources they need to continue to break new ground. In short, this legislation is a symbol of hope for millions across the country whose lives have been ravaged by the opioid epidemic.

In addition to helping Americans whose lives have been upended by addiction, I am also committed to helping Westerners who are struggling in our rural communities. That is why I worked long and hard to include in this year's omnibus a 2-year extension of the Secure Rural Schools program, or SRS.

The SRS program is absolutely critical to rural, forest counties in Utah and across the West. As the timber industry has declined in our country, rural counties with high presence of National Forest System lands face significant hardships in maintaining schools and essential infrastructure. Fortunately, with the extension of SRS, hard-working county leaders will be able to improve road maintenance, fund law enforcement, and keep our schools and libraries open.

The SRS program, as well as programs such as PILT, are a boon to families across the State of Utah. Of equal importance are our defense programs. Utah has some of the most patriotic people in the country, not to mention thousands of veterans and Active-Duty servicemembers. That is why I have always done everything in my power to support the warfighter, so I am pleased that this bill includes a much-needed 2.4 percent pay raise for our troops, the largest in 8 years. What is more, the legislation we are set to vote on today has the largest increase in defense funding in over 15 years, with a \$61 billion increase over last year's levels. This is especially good news for my hard-working constituents at military installations throughout the state.

What I have mentioned thus far is by no means an exhaustive list of the legislative victories included in this year's omnibus, but also worth mentioning are initiatives to build research capacity at the National Institutes of Health; make childcare more affordable for America's hard-working families, expand TIGER grants to facilitate transportation projects across the country, strengthen the Economic Development Administration to bolster rural communities, and support evidence-based education programs for our Nation's youth. On each of these initiatives, I worked closely with stakeholders and everyday Utahns to ensure that their perspectives would be heard and their needs would be met.

I am pleased with the work we have been able to do on this bill. Like any compromise, it is far from perfect, but it's undeniably good, and I can confidently say that the bills included in

this legislative package will have a lasting effect on the lives of thousands of Utahns and thousands more across the country.

Now, some have criticized the process of passing this legislation, criticizing the fact that lawmakers have not been able to read the omnibus from beginning to end. I take serious issue with this criticism. True, the omnibus is large, but every bill included therein has been thoroughly vetted over the course of several months and, in some cases, several years, so the assertion that we are passing a bill, the contents of which are unknown, is completely disingenuous. We know exactly what is in this omnibus because it is the culmination of all our hard work this Congress. This is a common vehicle for passing vetted legislation, and anyone who tells you otherwise is playing political games.

Let me just conclude by saying that, with the time I have left here in the Senate, I plan to leave everything on the field. For me, 2018 is not a victory lap but a sprint to the finish, and I plan to finish strong.

Mr. President, I submit this statement on behalf of myself and Ranking Member Wyden. The provisions of the House amendment to the Senate amendment to H.R. 1625, showing the text of the Consolidated Appropriations Act, 2018, before the Senate for debate today includes technical corrections to legislation enacted prior to 2017. These provisions are important to provide clarity to taxpayers and to the administration of the law. I and Ranking Member RON WYDEN have asked the staff of the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of this legislation.

The technical explanation expresses the congressional understanding and legislative intent behind this important legislation. It is available on the Joint Committee's website at [www.jct.gov](http://www.jct.gov). It is document JCX-6-18, "Technical Explanation of the Revenue Provisions of the House Amendment to the Senate Amendment to H.R. 1625 (Rules Committee Print 115-66)," March 22, 2018.

Mr. CARPER. Mr. President, I rise today to speak about title XI of divisions S of the Consolidated Appropriations Act, 2018, H.R. 1625. Title XI of Division S, the Fair Agricultural Reporting Methods Act, or the FARM Act is identical to the text of S. 2421, which was introduced on February 13, 2018, and which was referred to the Senate Committee on Environment and Public Works, where I serve as ranking member. I am proud to be an original cosponsor of S. 2421.

The Environment and Public Works Committee held two legislative hearings on the text of S. 2421. The first was on S. 2421 as introduced, in the Senate Committee on Environment and Public Works Subcommittee on Superfund, Waste Management, and Regulatory Oversight on March 8, 2018. The second



hearing was held by the full committee on March 14, 2018, on a committee draft of legislation, the “Agriculture Creates Real Employment (ACRE) Act.” The text of S. 2421 was included in the committee draft of the ACRE Act, as section 3.

S. 2421 exempts most farms from the hazardous substance release reporting requirements under section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act, CERCLA, for air emissions from animal waste, but leaves intact reporting requirements under the Emergency Planning and Community Right-to-Know Act, EPCRA. The FARM Act also preserves reporting requirements and enforcement authority under State and local laws, as neither CERCLA nor EPCRA would preempt such requirements.

As I said during those hearings, I believe our country’s environmental laws serve our entire Nation, including our farmers, quite well, but I recognize that sometimes environmental requirements can be complex and confusing to those who farm, especially when these rules suddenly change.

This is what happened in April 2017 when the DC Circuit Court of Appeals invalidated an EPA rule from 2008, which exempted all farms in the Nation from reporting requirements for hazardous air emissions from animal waste under CERCLA.

That same rule also exempted many farms from reporting requirements under section 304 of EPCRA, but left in place reporting requirements for large concentrated animal feeding operations, known as CAFOs. This is because EPA received numerous comments from local officials and the public in support of having farms report these emissions. Since January 2009, EPA has required large CAFOs to report their emissions of ammonia and hydrogen sulfide from animal waste under section 304 of EPCRA.

With the court’s decision to vacate the 2008 rule, all farms that exceeded releases of 100 pounds in a 24-hour period of ammonia or hydrogen sulfide were now subject to reporting requirements under section 103 of CERCLA and under section 304 of EPCRA. Farms had no experience with CERCLA reporting, because the 2008 rule exempted all farms from reporting under section 103 of that statute. The FARM Act provides a statutory exemption to the reporting requirements under section 103 because the DC Circuit found that EPA did not have the authority to exempt farms from these releases. This restores the CERCLA reporting exemption under which farmers have operated since 2009.

Reporting requirements under EPCRA have been quite different. As I noted before, the Bush administration chose to only exempt some farms from reporting releases of extremely hazardous substances from animal waste under section 304 of EPCRA, and since 2009, large CAFOs have been success-

fully reporting these releases to their State emergency response commissions and to their local emergency planning committees. The DC Circuit vacated the rule that exempted farms that weren’t large CAFOs from EPCRA reporting requirements under section 304.

One thing I worked hard on with Senators Fischer and Barrasso as we were developing the FARM Act was to ensure that, at the same time we exempted farms from hazardous substance reporting requirements under section 103 of CERCLA, we chose to make no changes to how extremely hazardous substances should be reported under EPCRA. We heard testimony from multiple witnesses during both of our hearings on this point, namely that this legislation did not change reporting requirements for releases of extremely hazardous substances under EPCRA. We also heard testimony from a local government official about the ways that he and his constituents would use the information in these reports.

Another important aspect of the FARM Act is that it in no way modifies any of EPA’s response or remedial authorities under CERCLA, nor does it in any way limit or reduce liability associated with a release from any facility, which of course includes farms. This fact is made explicit in section 3 of S. 2421 and in section 1103 of H.R. 1625, division S, title XI.

I want to thank Senators FISCHER and BARRASSO for working with me and agreeing to not amend EPCRA in S. 2421, and similarly in title XI of division S of H.R. 1625. That was critical for many Members on the Democratic side who have repeatedly heard concerns from State and local officials, the public health experts, and other members of these communities who have the right to know about what is in their air.

Finally, I ask unanimous consent to have printed in the RECORD a Congressional Research Service memorandum titled “Supplemental Analysis: Fair Agricultural Reporting Method Act/FARM Act (S. 2421).” As I have already noted, the text of the FARM Act in division S, title XI, of the House amendment to the Senate amendment to H.R. 1625, the Consolidated Appropriations Act, 2018, is identical to S. 2421. Therefore, the analysis contained in the CRS memo on S. 2421 applies equally to the language in the omnibus. There is additional analysis on the FARM Act by CRS that is part of the hearing records on S. 2421 and on the ACRE Act.

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

CONGRESSIONAL RESEARCH SERVICE  
MEMORANDUM

MARCH 13, 2018.

To: Senate Committee on Environment and Public Works  
Attention: Kusai Merchant.  
Hon. CORY A. BOOKER, *Ranking Member*  
Subcommittee on Superfund, Waste Management, and Regulatory Oversight  
Attention: Adam Zipkin.  
From: David M. Bearden, Specialist in Environmental Policy  
Subject: Supplemental Analysis: Fair Agricultural Reporting Method Act/FARM Act (S. 2421).

This memorandum responds to your request for a more detailed discussion of the analysis presented in a CRS memorandum provided on March 7, 2018. CRS prepared this earlier memorandum to respond to your initial request for an analysis of amendments to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) in the Fair Agricultural Reporting Method Act or “FARM Act” (S. 2421), as introduced on February 13, 2018. As discussed in the March 7th CRS memorandum, S. 2421 would exempt air releases of hazardous substances emitted by animal waste at farms from reporting requirements under CERCLA, and would have a bearing on the applicability of reporting requirements under Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA).

This supplemental memorandum elaborates upon the analysis presented in the March 7th CRS memorandum to outline circumstances in which the emergency notification requirements in Section 304 of EPCRA would apply under current law, and the bearing of S. 2421 on the applicability of these requirements to air releases emitted by animal waste. The March 7th CRS memorandum provides additional background information in support of this analysis, and offers a broader examination of how S. 2421 would define the terms “animal waste” and “farm” for purposes of the bill. I hope that this supplemental memorandum is helpful to address your questions about circumstances in which EPCRA may continue to apply if S. 2421 were enacted. If you need further assistance from CRS in consideration of this legislation or related issues, please do not hesitate to contact me.

#### SECTION 304 OF EPCRA

As explained in the March 7th CRS memorandum, Section 304 of EPCRA outlines three situations in which the reporting of releases of extremely hazardous substances or hazardous substances into the environment is required. In each situation, the person responsible for the release must notify the State Emergency Response Commission (SERC) and the appropriate Local Emergency Planning Committee (LEPC) that covers the local jurisdiction where the release occurs. Two of these situations are contingent upon the release being subject to notification under Section 103 of CERCLA for reporting to the National Response Center! The third situation is not contingent upon reporting under CERCLA. The three situations covered in Section 304 of EPCRA are as follows.

Section 304(a)(1) requires notification of releases of extremely hazardous substances listed under EPCRA, if the release would require notification for hazardous substances under Section 103 of CERCLA.

Section 304(a)(3) requires notification of releases of other hazardous substances that are not separately listed as extremely hazardous substances under EPCRA, if the release would require notification under Section 103 of CERCLA.

Section 304(a)(2) requires notification of releases of extremely hazardous substances

listed under EPCRA (but that are not subject to notification under CERCLA), if three criteria are met.

In this third situation, releases of extremely hazardous substances listed under EPCRA would require notification under Section 304(a)(2), if the release:

(A) is not a federally permitted release as defined in Section 101(10) of CERCLA;

(B) is in an amount in excess of a reportable quantity that the U.S. Environmental Protection Agency (EPA) designated under Section 302 of EPCRA; and

(C) "occurs in a manner" that would require notification under Section 103 of CERCLA.

S. 2421

S. 2421 would amend Section 103(e) of CERCLA to exempt "air emissions from animal waste (including decomposing animal waste) at a farm" from reporting to the National Response Center regardless of the quantity of the release of hazardous substances in air emissions. The bill would not amend Section 304 or any other provisions of EPCRA. Although S. 2421 would not amend this statute, the bill would have the effect of eliminating reporting requirements under Section 304(a)(1) and Section 304(a)(3) of EPCRA for air releases of hazardous substances emitted by animal waste at farms, in so far as the terms "animal waste" and "farm" are defined in the bill.

Both Section 304(a)(1) and Section 304(a)(3) of EPCRA are contingent upon reporting required under Section 103 of CERCLA. Exempting a release from reporting under Section 103 of CERCLA thereby would have the effect of exempting the same release from reporting under Section 304(a)(1) and Section 304(a)(3) of EPCRA. The April 2017 court decision referenced in the March 7th CRS memorandum (Waterkeeper Alliance, et al., v. EPA) described this statutory relationship in terms of "a release that triggers the CERCLA duty also automatically trips the EPCRA reporting requirements in subsections (1) and (3)" of Section 304.

S. 2421 would not have a bearing on the reporting of releases of extremely hazardous substances under Section 304(a)(2) of EPCRA though, as this provision is not contingent upon reporting required under Section 103 of CERCLA. If the exemption from CERCLA in S. 2421 were enacted, the applicability of Section 304(a)(2) therefore would remain the same as in current law. An air release of an extremely hazardous substance emitted by animal waste at a farm would be subject to Section 304(a)(2) if all three statutory criteria for reporting were met.

An air release of an extremely hazardous substance emitted by animal waste would satisfy the first criterion in Section 304(a)(2)(A) if it were not a federally permitted release. Section 101(10) of CERCLA defines the term "federally permitted release" to mean releases regulated under other specific laws. Section 101(10)(H) authorizes a federally permitted release for "any emission into the air" subject to a permit, regulation, or State Implementation Plan, pursuant to the Clean Air Act. CRS is not aware of the use of these authorities to regulate air releases emitted by animal waste upon which a federally permitted release presently could be based. If such air releases were permitted under the Clean Air Act, the releases would be exempt from reporting and liability under CERCLA as a federally permitted release, and thereby exempt from reporting to state and local officials under Section 304 of EPCRA.

An air release of an extremely hazardous substance emitted by animal waste would satisfy the second criterion in Section 304(a)(2)(B) if the quantity of the release

were to exceed the quantitative threshold for reporting that EPA designated in federal regulation pursuant to Section 302 of EPCRA. For example, EPA separately listed ammonia and hydrogen sulfide (substances commonly emitted by animal waste) as extremely hazardous substances, and designated 100 pounds released during a 24-hour period as the threshold for reporting under Section 302 of EPCRA. Air releases of ammonia or hydrogen sulfide emitted by animal waste in excess of 100 pounds during a 24-hour period therefore would satisfy this second criterion in Section 304(a)(2)(B).

An air release of an extremely hazardous substance emitted by animal waste (e.g., ammonia or hydrogen sulfide) would satisfy the third criterion of Section 304(a)(2)(C) of EPCRA, if the release were to occur in the same manner as a "release" that would require reporting under CERCLA. As outlined in the March 7th CRS memorandum, the term "release" in CERCLA is relatively broad with respect to the manner in which a hazardous substance may enter the environment, including spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. The term "environment" is defined in Section 101(8) of CERCLA to include surface water, groundwater, a drinking water supply, surface soils, sub-surface soils, or ambient air. Section 329 of EPCRA defines the terms "release" and "environment" similar in scope to CERCLA. The federal regulations promulgated under Section 304 of EPCRA reflect these statutory definitions. Both CERCLA and EPCRA generally treat emissions into the ambient air as releases into the environment.

In implementation, EPA has treated the phrase "occurs in a manner" in EPCRA Section 304(a)(2)(C) to mean the nature of the release in terms of how a substance enters the environment, not that reporting is required under Section 103 of CERCLA. Otherwise, Section 304(a)(2) would be rendered meaningless in covering releases of extremely hazardous substances that do not require reporting as hazardous substances under CERCLA, while requiring reporting under CERCLA at the same time.

The March 7th CRS memorandum observed that the exemption from reporting under Section 103 of CERCLA in S. 2421 may not necessarily exempt releases of separately listed extremely hazardous substances from reporting under Section 304(a)(2) of EPCRA. The applicability of this provision to a particular release would depend on whether all three statutory criteria outlined above are met. Regardless of these criteria though, Section 304 in its entirety may not apply to air releases from animal waste at farms if the Trump Administration's interpretation of the exemption for substances used in routine agricultural operations is not challenged. S. 2421 would not have a bearing on this exemption.

Also as noted in the March 7th CRS memorandum, potential reporting requirements under state or local laws may continue to apply regardless of an exemption in federal law, as neither CERCLA nor EPCRA would preempt such state or local requirements.

Mr. BLUNT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I may consume.

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

Mr. INHOFE. Mr. President, this is going to be kind of a strange statement to make. I have great regret that I am going to have to vote for this bill when it comes up—and I am talking about the spending bill—and I don't like it.

I went through a lot of years as being—in fact, since I have been here, I have been ranked with the three most conservative Members every year—more times than anybody else has. I am looking at this right now, and I was listening to some of my colleagues who are concerned about the spending, and no one is more concerned than I am about the spending. We have a problem, though, that a lot of people don't understand.

I have been on the Senate Armed Services Committee for 24 years in the Senate, and I was on the same committee in the House before that, and I have never seen anything like this. We went through things back in the Carter administration where we had a hollow force, and then Ronald Reagan came along in 1980, and we rebuilt our military. Everybody knows that. They knew what was happening. A hollow force is not good. A hollow force means we can't really fight a war. Certainly we can't do two contingencies simultaneously, as has been our policy for a long period of time. And that is what we got into back then. Now, this hasn't happened since 1980.

I chair one of the subcommittees, and we had the vices in—this was at the end of the Obama administration—and the four vices of the services all said the same thing: We are in a position now where we have a hollow force like we had back in the late seventies.

The public doesn't know this, and our press doesn't talk very much about this. They talk about all the problems that ring the bells and sell the newspapers and all of that, but they don't want to talk about the military. This is the reality of what we are faced with right now.

General Dunford is the Chairman of the Joint Chiefs of Staff. He said that we are losing our qualitative and quantitative edge in America. That means we have two great forces out there—one Russia and one China—and they are passing us up. Right now, both China and Russia, with the artillery pieces they have on tanks, can fire eight rounds a minute. Do you know how many rounds we can fire with ours? Four rounds a minute.

We got ourselves into a position where we had our ground brigades of the U.S. Army—this was at the end of the last administration—of our ground brigades, only 30 percent of them could be deployed.

I don't like to sound like I am being partisan when I talk about Barack Obama. I respect him in one area, and that is, he was admittedly a very proud

liberal, and proud liberals don't care that much about a defense system. They think that if all countries will stand in a circle and hold hands and unilaterally disarm, all threats will go away. So we went through that, and people didn't seem to care.

There is this myth out there that somehow we are stronger than everybody else, that the equipment we have is better than anybody else's. During that same timeframe, our air brigades—only 30 percent of those were working. The marines who use the F-18s—62 percent of the F-18s couldn't fly. One of the things that happen when the military goes down—the first thing that goes down is maintenance, and then, of course, you have modernization, and that is where we got way down behind.

Don't take my word for it. Right now, we have 27 Members on the Senate Armed Services Committee, and they understand this. They know where we are on this, but a lot of the other people don't. They have their interests. If they had a strong interest, they would probably be on the committee, and they are not.

Secretary Mattis said:

Our competitive edge has eroded in every domain of warfare—air, land, sea, space, cyberspace—and is continually eroding. America has no pre-ordained right to victory in the battlefield.

That is Secretary Mattis, who is the Secretary of Defense.

Army General Allyn said:

We've had most of our modernization programs on life support for the last several years. Currently, our modernization is 50 percent of what it was in 2009.

This is a good quote, too. This is from Navy Admiral Moran. So this is not just me saying this; this is where I got the information about the Hornet fleet. The Hornet is the F-18. He said:

For our entire Hornet fleet . . . we have 62 percent that are not flyable. More than half. We're double where we should be in non-flyable aircraft.

General Walters said:

I can tell you today we cannot [fight two conflicts] simultaneously.

That is supposed to be our policy, that at a minimum—ever since World War II—we would be able to and have the capability of fighting on two fronts simultaneously. We can't do it.

General Wilson:

We're at about 50 percent readiness today, across the Air Force. We [were] . . . the smallest Air Force ever in 2016, when we botched out at 310,000.

I could go on and spend a lot of time talking about this, but I can't find anyone in the military who disagrees. That should be a foregone conclusion if our own military—they are the ones who are responsible for protecting my 20 kids and grandkids from enemies.

I just got back from the South China Sea. We have a lot of really good allies there. We have the Philippines, South Korea, Guam, Japan, and Taiwan. They have been our top allies, but do you know what is happening in the South

China Sea? China is out there doing something totally illegal. They say that they are reclaiming land. They are not reclaiming it because they don't have it to start with. They are creating land that is out there in the seaways that we need to defend America and to keep our commerce going, and they are building islands. Right now they are up to over 3,000 acres of islands. This is China we are talking about. What are they doing over there? They have runways. They have rock-ets. They have military equipment. There is nothing there except military equipment. It is almost as if they are preparing for world war III.

So where are our allies? We talked to our allies. They are embarrassed because they are not sure whose side they are going to be on. In fact, it is almost as if they put this in on purpose, where you would have the Secretary of Defense or the Minister of Defense, in whichever of these countries I mentioned, on one side saying "Well, you know, the threat is not all that great," and the other one is saying "Yes, you have to do something because the world is coming to end." Well, they are on both sides of this issue.

It is fascinating. It is almost as if they got together, and they are doing it by design. Has this ever happened since World War II in our country? No, it hasn't. That is where we are right now.

We have problems that are facing our military; they are very real. This is something that has to be fixed. This bill corrects a lot of these things. We have defense now up to \$700 billion. I am going from memory here, but I think the last request that came from President Obama was \$548 billion. This is \$700 billion. We are rebuilding. We are trying to address the threats from both Russia and China.

By the way, I want to mention that there is one other threat in that same area where we were, in North Korea. I am sure everyone knows who Kim Jong Un is. He is the head guy of North Korea. Something happened on November 28. On November 28, he fired a rocket that had a range that could reach the United States of America. It could certainly reach where we are today. Some people say that can't be true. All they can say is—they fall into two areas of disagreement. They say: Yes, he has the range to reach us, but he couldn't carry a payload. We have no idea what payload was on this rocket that he sent. Let's assume there is no payload at all. It would be a matter of days before they make that up. Then they said that he couldn't reenter. Reentry is always a problem because to reenter you have to come in and have some level of accuracy. So you can't reenter there without accuracy.

Well, what difference does it make if they have a weapon that could take out a city the size of St. Louis? It doesn't really matter where it lands, so that is a hollow argument. The power is right there.

I have to compliment our President. I hesitate doing it this way because a lot of people don't understand. Remember when Kim Jong Un made the statement in which he said: Ah-ha, on November 28 I showed that I could reach the United States of America, and therefore I have a button I can press, and I could take out an American city—or words to that effect.

Instead of the policy of appeasement that we had for 8 years prior to this President coming in, this President said: Yes, and I have a button. It is bigger than yours. Ours works, yours doesn't, and we will blow you off the face of this Earth. That doesn't sound diplomatic does it? It is not. That is what is good about this President. He is not afraid to stand up and be strong. The policy of appeasement hasn't worked. It has never worked.

So what happened? Hours after he made that statement to Kim Jong Un, Un called South Korea and said: You know, we have changed our mind. We are going to send people to the Winter Olympics.

Wow, that is a major change. I can remember saying that in one of our own committee hearings, and even our own Intelligence Committee said: Well, he didn't really mean it. It was just a matter of days after that when he called and said: We want to negotiate, sit down and talk to President Trump, and we will even put things on the table, like denuclearizing. This is going to happen.

That is another threat. What I am trying to get across is that those threats are there. In my opinion, that is something that is actually working.

In this bill, we have \$700 billion. We have \$61 billion over the enacted levels of fiscal year 2017. We have a 2.4-percent pay raise for our kids out there. We have \$11.5 billion for missile defense.

One of the areas where I was most critical of the last budget that was put together by President Obama was missile defense. If there is ever any time in the history of this country where we have to have missile defense, this is it. They are out there right now. They have the capability; they have missiles that will reach us. We need missile defense.

We have ground-based interceptors. I was just in Alaska the other day. They now have 44 ground-based interceptors up there. What is really interesting about that is we had 44, and then the last President came in, and he knocked that down to 32, I think it was. Then, as soon as this President came in and looked at it, he went back to 44. Now we are looking at 20 more.

Is that going to give us the redundancy to protect my 20 kids and grandkids from somebody coming in? Well, it is a lot better than it was, and we are getting all kinds of new equipment in order to try to knock down—the big mistake we made in this country was when we were planning to put ground-based interceptors in Poland, in

the Czech Republic, and a radar there that would protect the eastern half of the United States and Western Europe. That was already started when Obama came into office. In his first year, he pulled that program down.

One of the persons whom I have always liked over there is Vaclav Klaus. He was the President. When I was over there, I could remember so well saying: We have to have your cooperation, the Czech Republic, to protect America.

He said: Are you sure? If I do this and I outrage Russia, they are going to be angry and take every step against us they can. You will not pull the rug out from under us?

I said: Absolutely, we are not going to pull the rug out from under you.

That is the first thing Obama did when he got into office. That is a problem we shouldn't have.

The threat is there. We are trying to meet the threat. This bill meets that threat. It gets us back to the amount of money that should have been left in missile defense. It is in there right now.

We have another \$11.5 billion for missile defense, and it is a 44-percent increase from 2017. The O&M budget right now is increased. The total budget is going to be \$238 billion. That is to offset the losses today that the O&M budget has created.

This budget that we are going to be voting on is a big budget. Those of us who are going to be voting for it are getting criticized. I will say this: The liberals all like it. They like to spend money. Conservatives don't. I don't like to do it.

That is all in this bill—57,100 troops over Obama's 2017 cut. We were not going to have—anyway, this is why we absolutely have to do this.

I look and I see that it would be nice if we had the comfort of believing that America is still the strongest out there, that we have everything we need, but we don't.

So let's look at what we are going to be doing. The Army, from a high point of 566,000 soldiers during the surge in 2007—Obama reduced it to just over 460,000. Thirty-three percent of the brigade combat teams didn't work. The aviation combat teams didn't work. We are on the road to recovery on this because we did a supplemental. We all remember that. But it is this budget that is going to bring us back, and we will end up having our military in the position that the American people think it is in right now.

I was on a TV show just a few minutes ago, and they said: Well, you know, with all this debt that is coming with this, and you are talking about the military—isn't that a good trade-off?

I said: You can't trade off something when you see the threat that is out there, which is unprecedented in the history of this country, and you have 20 kids and grandkids to protect. No, that is not a good trade-off.

I am hoping that those individuals who are conservatives—and I can't

imagine that anyone on the Senate Armed Services Committee who deals with these issues on a daily basis would not want to get in there and make America strong again. We can do it, but if you don't vote for this, it is not going to be done. That is the great fear that I have.

I hope the conservatives out there—I know for a lot of us, ratings always happen. You cast a vote, and they say: Ah, that is spending a lot of money. We are going to rate against you. Again, it is a tradeoff. It is defending America. That is the one thing we should be doing.

I would give anything if we could just pull that element—all that we are doing for the military—out of this budget and do it individually. Let me stand up here and read the riot act about what is happening in this country, the debt that is accumulating, but, unfortunately, I don't have that option today.

We have one vote where we can do it. That is going to be the vote that we do, hopefully, tonight. I am not sure when it is going to be. I just ask my colleagues to understand the threat facing our country—in my opinion, the greatest threat we have ever had.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

#### TRIBUTE TO GABRIELLE BATKIN

Mr. CARPER. Mr. President, we are here today to discuss what we call an omnibus bill. I know that "omnibus" is another funny-sounding word that we use sometimes here in Washington, but it simply means a bill that covers a lot of topics.

There are provisions in the omnibus legislation that deal with everything from homeland security to the environment to veterans and science, just to name a few. It is particularly fitting that we are discussing an appropriations bill that covers such a wide range of topics, as I come to the floor to recognize the service of a member of our staff who has worked on most of the policies covered in the omnibus legislation—maybe all of them.

Gabrielle Batkin, seated to my left, will probably wish that I wasn't doing this right now, but there is no doubt that she deserves to be recognized for her more than 20 years of hard work in the U.S. Senate. For as long as I have known her, Gabrielle has been an incredibly gracious person—kind, easy with praise, making sure that her own staff and the staff across the aisle were appropriately recognized for their efforts. Now I think she deserves some recognition of her own.

To all of the young staff members who may be watching this right now or

to those who aspire to be staff members of the Senate someday, I would present Gabrielle Batkin as a shining example of what it means to be an exceptional staffer and a true public servant.

Every now and then we hear the term "nameless, faceless bureaucrat." This is not a nameless, faceless bureaucrat. This is a beautiful public servant. She works tirelessly and really believes in making government work better for the people that it serves.

Gabrielle and I first started working together back in 2014, when she came to lead my team on the Senate Homeland Security and Governmental Affairs Committee when I served as its chairman. Then, a little over a year ago, she seamlessly transitioned to her current role as staff director for the minority on the Environment and Public Works Committee. This encapsulates just a fraction of her service.

For over a decade, Gabrielle served as an appropriations staff member to former Senator Barbara Mikulski. I think she was the No. 2 person on Barbara's appropriations team. Gabrielle started on the Appropriations Committee's Subcommittees on Veterans Affairs and Housing and Urban Development and then moved on to the Commerce, Justice, and Science Subcommittee, where she handled everything from NASA to the grasses on the Chesapeake Bay.

Before that, she served in the office of the late Senator from New Jersey, Frank Lautenberg. She also worked on the House side for Congressman FRANK PALLONE from New Jersey and also served on the Senate Budget Committee.

Gabrielle has worked on everything from blue crabs to the Hubble telescope to cybersecurity and Central America. Those who know her will confirm that few people can shift between issues or committees as gracefully as she does, while also delivering results every step of the way. The day-to-day functions of the Federal Government are possible because there are people like Gabrielle Batkin who toil away behind the scenes making sure the hard work gets done for the American people.

She has been a tenacious and effective leader on my staff, but she also has what I like to call the "heart of a servant." Even as the boss, Gabrielle is in the trenches when things get tough or hectic around here, and she always takes time to make sure that those who work hard for her are doing OK. Her incredible work ethic, combined with her humility, means that she can be briefing Members of Congress on complex policies one minute and helping an overwhelmed junior staffer staple packets the next. That is just who Gabrielle is.

No matter how stressful her high-pressure career in the Senate was, Gabrielle never let it take her away from her most important job; that is, being the mother to three young men who are up in the Galleries tonight:

Henry, Will, and Charlie. She has always said to me: "My most important job is being a mom," and she is a darn good one. All of her family are up in the Galleries—not all of them, but some of the most important ones—her three sons and her husband Josh of 20 years and her sister Erin, who is, I understand, not just a sister but a great friend, a great aunt, and just a wonderful support system for Gabrielle during the times she has needed it.

I want to thank the three boys and Josh for sharing your mom and your wife with all of the people of our country, and I want to thank Erin for being just a terrific sister and supporter.

A few years back, Gabrielle brought her oldest son Henry to our staff holiday party at the Buena Vista in New Castle, DE. At the time I was talking with Henry, I think he was 12, and I asked him to tell us one thing his mom taught him. Henry told us that his mom tells him all the time that as long as they try to do their best in everything he and his brother do, that is always good enough for her. Think about that. As long as he and his brother do their best, that is always good enough for their mom. She just wants to make sure they do their best.

She has always given us her best for all these years—20 years and counting. I am immensely grateful to Gabrielle for her service to this institution, for her service to the American people, and for her indispensable counsel to me over the past 4 years that I have been fortunate enough to work with her—I like to say "to work for her." She is a great boss and a wonderful friend. I have learned a lot from her and treasure her and her friendship.

While we are sad to see her go, I am excited for her new adventures to come, and I wish her and her family—her husband Josh, and her boys, Henry, Will, and Charlie—all the best in this next chapter of their lives. I know her boys are her biggest fans and are so proud of the work she has done here in the Senate. I promise you, she is going to keep making you guys proud.

I will close with this. Every now and then throughout our lives, we meet people and sometimes are even fortunate enough to work with them—people who are just a joy to be with, people who make our days brighter and our workload lighter. I know I speak for so many people when I say that Gabrielle is just that kind of person.

We had breakfast today in the Senate Dining Room. When we walked out, going through the Capitol Building back to our offices in the Hart Building and the Dirksen Building, we passed so many people she knew, people who knew her by name. I am the only person who calls her Gabrielle, which is her real name. Everybody else calls her Gabby. The janitors, custodians, people running the elevators, the pages—she is Gabby to them.

Sometimes people rise to senior and leadership positions, whether they happen to be elected or members of our

staff, and maybe forget where they came from, or maybe they are not the same person they were when they started. She is probably smarter. She started out really smart, but she has gotten even better informed and just a more knowledgeable member of our team as time has gone by.

I will go back to when I interviewed her for the position of staff director on the Homeland Security and Governmental Affairs Committee when I was chairman. We talked about growing up, going to college, and her influences as a young woman. As it turned out, she went to school in the Midwest, Bradley in Peoria.

I said: Did you ever work while you were going to school?

I worked a couple jobs while I was going to Ohio State. ROTC. Midshipman. I had some help from the Navy. As it turned out, she worked full time while she was going to school at Bradley—not that she volunteered this, but I found out later on that she worked full-time for several of those years that she was an undergraduate—I think at the Social Security Administration—and carried a full load and a straight 4.0 average. I think that is amazing. As soon as she said that, I thought, I should be working for you, sister. But she has let me work with her, and we have had a great time and a great run.

I know I speak for the other members of the Environment and Public Works Committee who have an opportunity to see staff—Democrats and Republicans—and a chance to see her handiwork and the magic she brought to the committee. She had a good 1-plus years as a staff director when I was privileged to chair Homeland Security, and everybody—Tom Coburn, my colleague from Oklahoma, and a whole bunch of other people—certainly know her work and salute her.

In the Navy, when people do an especially great job, we have two words that we say: Bravo Zulu. I certainly say those words this evening to Gabrielle. We also have a saying when people are ready to weigh anchor and sail off into the sunrise and go on to their next challenge or next assignment. We always like to say: Fair winds and following seas. I say those words this evening somewhat reluctantly but with a great deal of affection and respect.

Gabrielle, we love you, we will miss you, and we will leave the light on.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, we are at an interesting time. We have had months of intense negotiations, some-

times lasting all night and throughout weekends. We have had very tough choices. We have had some very good-faith compromises. In other words, we have actually handled legislation the way we should.

We have reached a bipartisan agreement to fund the government for this fiscal year and to make renewed investments in the American people and to protect our national security.

The fiscal year 2018 Omnibus appropriations bill has \$1.3 trillion in discretionary spending. That includes \$700 billion for defense programs to support our men and women in uniform and \$600 billion in nondefense programs that will help us invest in America and support our working families.

The bill has critical resources dedicated to combating the opioid epidemic, to rebuilding America's infrastructure, to improving healthcare facilities for our veterans, to improving access to affordable healthcare for all Americans, to ensuring the security of our elections, to supporting advances in scientific research, and to investing in rural communities across the country.

The Presiding Officer and every Senator have rural parts of their States, and the investments to be made in those rural communities should be good news for every Senator.

These investments would not have been possible without the 2018 bipartisan budget agreement that lifted the budget caps on discretionary spending—lifted the caps for defense by \$80 billion and for nondefense by \$63 billion—providing relief from the severe cuts in both defense and nondefense known as sequestration.

The consequences of the 2011 Budget Control Act, which mandated sequestration, have been devastating to our military and domestic priorities. This bill is a long-awaited step toward reversing those cuts and allowing us to reinvest in the American people.

I wish the President would actually read what is in the bill. He is calling these investments in our country's priorities a waste. Can you imagine—investing in the priorities of the United States of America a waste?

This morning, he tweeted that they were "Dem"—I suppose he means Democrats—"giveaways." I would ask, Mr. President, is it a giveaway to provide medical care for the 7 million veterans who rely on the VA? I would ask, is it a giveaway to help the family in Rutland, VT, heat their home during a dangerously cold winter so they can afford their groceries? I would ask, is it a giveaway to finally take the opioid crisis seriously by making investments in research, treatment, and prevention?

The President slammed our efforts for budget parity, but he has since shamelessly held press conferences to tout initiatives only made possible by this agreement, including the sizeable new investments to counter the opioid epidemic. Even though it was critical

that we put money in for that, he is now saying, of course, it was his idea.

A budget is where you set your priorities. The President made clear in his budget that his priorities do not rest with the needs of hard-working, middle-class Americans. The bill rejects many of those areas where the President wanted cuts in the needs of hard-working, middle-class Americans. Instead, the bill sets a vision for the future of our country. We invest not only in the wealthiest among us but in middle-class families and those who are struggling to make their way and make their community better.

We dedicate \$18.25 billion to begin rebuilding our infrastructure. The American Society of Civil Engineers gives our country's infrastructure a D-plus. A lot of countries have much higher. This was the collective grade for the roads, bridges, dams, drinking water, wastewater, public parks, and schools on which we all depend. That is not acceptable, not in this country, and this bill is an important, long-overdue step toward bringing our infrastructure into the 21st century.

The bill takes the opioid crisis seriously by investing \$3.3 billion into law enforcement, healthcare, and community efforts that we know help to rid our country of this scourge. The time for sloganeering and sound bites is over. I have always preferred substance over slogans, and the time for real, effective, and meaningful investment in ending this epidemic has arrived. Marcelle and I have met with too many Vermonters as we go around our State who are impacted by opioid abuse, too many neighbors and friends who are struggling to get the help they need or to help those in need. I am glad that when I return to Vermont, I can say that we heard them, and we delivered.

This bill strongly rejects the partisan package passed by House Republicans in September, which would have recklessly slashed funding for domestic priorities by \$68 billion below the bipartisan agreement introduced Wednesday. Most importantly, this bill rejects devastating cuts proposed by the Trump administration. These included the President's proposed cuts to the Environmental Protection Agency, which helps ensure we have clean air and drinking water. The bill rejects his cuts to job training, education, and childcare programs that so many of our Nation's working families rely on. It rejects the President's misguided proposal to slash the budget for the Department of State. This bill also rejects the President's misguided immigration priorities by refusing his request to hire an additional 850 ICE agents and increase the number of ICE detention beds. It also rejects his request to build a "big, beautiful wall" on the southern border—something that reflects last century's technology. Instead of his original \$1.6 billion request for 74 miles of wall, which was later increased to a request for \$18 billion to build a wall on the entire south-

ern border, the bill funds only a fraction of that, and it includes important restrictions on how the funds can be used.

The bill provides \$641 million for 33 miles of fencing in the Rio Grande Valley, \$251 million to replace secondary fencing, which is already in San Diego, and \$445 million for replacement of existing pedestrian fencing. It speaks to real need, not to funding a campaign slogan.

Incidentally, in the request, somehow the campaign promise that this would be paid for by Mexico, and not by American taxpayers, seems to have been forgotten.

Importantly, the bill includes language requiring the Department of Homeland Security to use proven fence designs that currently exist on the border instead of allowing the President to build a 30-foot concrete wall, which would endanger our men and women who patrol the border.

I would still like the President to tell us when and how he wants Mexico to cover these costs because, time and again, he promised the American people Mexico would pay for it. Time and again, he gave us his word. We now know that was never a promise he could keep.

One critical thing missing from this bill, though, is a remedy for the crisis the President has created, and that crisis relates to DACA recipients. I have watched with fury as the President has, day after day, tweeted the Democrats are responsible for not addressing DACA. Late last night, he tweeted:

Democrats refused to take care of DACA. Would have been so easy, but they just didn't care.

Balderdash. For nearly two decades, I have been a proud supporter of the DREAM Act. I included it in the 2013 comprehensive immigration bill. I care. Democrats care. We voted for that bill on the floor of the Senate. Republican leadership in the House refused to take it up. Yet, after promising before Members of Congress in both parties and the American people, making a big splash on TV, the President said he would sign an agreement to address DACA, but then he walked away from a bipartisan DACA and border security compromise in February.

There is no fix for DACA because the President and the Republican leadership are not serious about getting one. I wish they would. This Senator is willing to sit down with any Senator—Republican or Democratic—if we can get such an agreement.

This bill does strike more than 130 poison pill riders. These riders would have restricted women's access to healthcare. They would have rolled back environmental protections. They would have put significant restrictions on consumer financial protections. Had these riders stayed in, we would not have reached a successful conclusion to this negotiation, notwithstanding the all-night sessions of negotiating, notwithstanding the weekends.

I do not agree with everything in this bill. When you have a package of this magnitude, there is always going to be matters included that we like and things on which we disagree. That is the nature of compromise, but the Senate was designed by the Founders of this country to require compromise. This bill represents tangible progress that is going to benefit all Americans, and I am proud of the compromise Republicans and Democrats reached together.

I thank my own staff. They have worked days and nights and weekends. I am able to leave at night. They are still working well past midnight. I was able to go to Vermont last weekend. I worked with them by phone, but they stayed here working throughout the weekend—all hours, for several weeks, and nonstop in the homestretch of finishing this comprehensive bill:

My staff director, Chuck Kieffer, whose experience and depth of knowledge has become essential to me in my role as vice chairman of the Appropriations Committee. It was especially helpful, too, that Mr. Kieffer's expertise was available to any Senator who asked—Republican or Democratic;

Chanda Betourney, a native Vermonter, deputy staff director and general counsel, who has taken with her to these negotiations her Vermont values and her long Senate experience; Jessica Berry, another native Vermonter, who has fought for many of my priorities, and those of other Members in this body, in this spending bill;

Jay Tilton, my committee press secretary, who has gotten the word out far and wide about the importance of this bill so everybody, even though we work all night long many times—people would know exactly what we have been doing;

Jean Kwon, who has provided hours of support to the entire Appropriations Committee staff.

I also thank the Democratic subcommittee clerks for their support and their tireless efforts in crafting this bill:

Tim Rieser, Jessica Schulken, Jean Toal Eisen, Erik Raven, Doug Clapp, Ellen Murray, Scott Nance, Rachel Taylor, Alex Keenan, Melissa Zimmerman, Chad Schulken, and Dabney Hegg.

I also thank my dear friend, one of the most senior Republicans in this body, the chairman of the Appropriations Committee, THAD COCHRAN. It has been an honor and pleasure to serve with him. Senator COCHRAN and I have served together since 1978. We have worked together on appropriations matters, agriculture matters, every matter before this body. We have traveled the world together to help carry out America's interests. It has been a particular honor to work with him on this appropriations bill. It is his last in the U.S. Senate. As vice chairman, I salute the chairman. He is going to be sorely missed. I spoke about him earlier today.

I thank Chairman COCHRAN's staff for all their hard work on this bill. Particularly, I want to thank Bruce Evans and Fitzhugh Elder. They both have had long careers in the U.S. Senate. They share Chairman COCHRAN's dedication to this institution and his dedication to his own State of Mississippi, and they have been a pleasure for me and my staff to work with.

I say this to the Appropriations Committee staff—both the Democrats and the Republicans, some who are in the Chamber today—I thank you for the long nights and weekends you worked to get this bill across the finish line. We could not have done it without your hard work. I hope you will soon be able to spend time with your families and friends. I am sure they remember what you looked like since you left to continue this work. Certainly, we Senators know what you look like because we have seen you practically around the clock. The work has been worth it. Because of the tremendous work the staff on both sides of the aisle and the leadership staff have done, I urge an "aye" vote on this bill. When we can, I hope this body will give a resounding aye and send the bill to the President.

I don't see any Senator seeking recognition, so 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. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 2629

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2629) to improve postal operations, service, and transparency.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 762, 763, and 764.

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

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Thomas T. Cullen, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years; Robert K. Hur, of Maryland, to be United States Attorney for the District of Maryland for the term of four years; and David C. Joseph, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 330 and 331.

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

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Steven T. Mnuchin, of California, to be United States Governor of the European Bank for Reconstruction and Development, United States Governor of the African Development Fund, and United States Governor of the Asian Development Bank; and Steven T. Mnuchin, of California, to be United States Governor of the International Monetary Fund, United States Governor of the African Development Bank, United States Governor of the Inter-American Development Bank, and United States Governor of the International Bank for Reconstruction and Development for a term of five years?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 721.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Anne Marie White, of Michigan, to be an Assistant Secretary of Energy (Environmental Management).

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the White nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent the Senate proceed to the consideration of the following nomination: Executive Calendar No. 722.

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

The clerk will report the nomination.

The bill clerk read the nomination of Brent K. Park, of Tennessee, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Park nomination?

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 723 and 725.

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

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the nominations of James Edwin Williams, of Utah, to be Chief Financial Officer, Department of Labor; and Mark Schneider, of the District of Columbia, to be Director of the Institute of Education Science, Department of Education for a term of six years?

The nominations were confirmed en bloc.

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 616, 752, 753, 754, 755, 756, 759, 760, and 761.

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

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the nominations of Carlos Trujillo, of Florida, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador; Robert Frank Pence, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Finland; Edward Charles Prado, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Argentine Republic; Trevor D. Traina, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Austria; Erik Bethel, of Florida, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years; Judy Lynn Shelton, of Virginia, to be United

States Director of the European Bank for Reconstruction and Development; Kevin Edward Moley, of Arizona, to be an Assistant Secretary of State (International Organization Affairs); Josephine Olsen, of Maryland, to be Director of the Peace Corps; and Marie Royce, of California, to be an Assistant Secretary of State (Educational and Cultural Affairs)?

The nominations were confirmed en bloc.

#### NOMINATION DISCHARGED

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Committee on Environment and Public Works be discharged and the Senate proceed to the consideration of the following nomination: PN1369.

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

The clerk will report the nomination. The bill clerk read the nomination of Tim Thomas, of Kentucky, to be Federal Cochairman of the Appalachian Regional Commission.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; and that any statements relating to the nomination be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Thomas nomination?

The nomination was confirmed.

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of Executive Calendar Nos. 742 through 751 and all nominations on the Secretary's Desk; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brig. Gen. Timothy J. Hilty  
IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be vice admiral

Vice Adm. Matthew J. Kohler  
IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### To be major general

Brig. Gen. Vincent K. Becklund  
Brig. Gen. Charles S. Corcoran  
Brig. Gen. Barry R. Cornish  
Brig. Gen. Christopher E. Craige  
Brig. Gen. Andrew A. Croft  
Brig. Gen. Allan E. Day  
Brig. Gen. Eric T. Fick  
Brig. Gen. Chad P. Franks  
Brig. Gen. John R. Gordy, II  
Brig. Gen. Gregory M. Guillot  
Brig. Gen. Stacey T. Hawkins  
Brig. Gen. Cameron G. Holt  
Brig. Gen. Kevin A. Huyck  
Brig. Gen. David J. Julazadeh  
Brig. Gen. Kevin B. Kennedy  
Brig. Gen. Kyle J. Kremer  
Brig. Gen. Peter J. Lambert  
Brig. Gen. William J. Liguori, Jr.  
Brig. Gen. Randall Reed  
Brig. Gen. Lenny J. Richoux  
Brig. Gen. Carl E. Schaefer  
Brig. Gen. John E. Shaw  
Brig. Gen. Brad M. Sullivan  
Brig. Gen. Stephen C. Williams

#### IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

#### To be major general

Brig. Gen. James W. Bierman, Jr.  
Brig. Gen. David J. Furness  
Brig. Gen. John M. Jansen  
Brig. Gen. Michael E. Langley  
Brig. Gen. David A. Ottignon  
Brig. Gen. Thomas D. Weidley

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be general

Lt. Gen. Timothy M. Ray  
The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Maj. Gen. David D. Thompson  
IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be admiral

Vice Adm. Christopher W. Grady  
The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be vice admiral

Rear Adm. Timothy J. White



The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. David A. Welch

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Scott A. Stearney

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1684 AIR FORCE nomination of Arthur W. Primas, Jr., which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1685 AIR FORCE nomination of Gregory J. Payne, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1686 AIR FORCE nomination of Michael J. Patterson, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1687 AIR FORCE nomination of Brad R. Matherne, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1688 AIR FORCE nomination of Jonathan A. Morris, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

IN THE ARMY

PN1563 ARMY nominations (533) beginning RACHEL L. ADAIR, and ending D014124, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1564 ARMY nominations (35) beginning ROSE ABIDO, and ending JOSEPH P. WZOREK, II, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1575 ARMY nominations (2) beginning JOHN P. KILBRIDE, and ending JOHN J. NEAL, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1581 ARMY nominations (530) beginning GREGORY J. ABIDE, and ending G010452, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1582 ARMY nominations (993) beginning STEVEN ABADIA, and ending G010479, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1629 ARMY nomination of Steven M. Hemmann, which was received by the Senate and appeared in the Congressional Record of February 13, 2018.

PN1691 ARMY nominations (35) beginning HAYLEY R. ASHBAUGH, and ending JORDAN N. YOLLES, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1692 ARMY nominations (62) beginning JEFFREY A. ANDERSON, and ending D012878, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1693 ARMY nominations (169) beginning AHMAD B. ALEXANDER, and ending STEVEN D. ZUMBRUN, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1694 ARMY nominations (137) beginning ASHLEY K. AITON, and ending TRACY L. ZINN, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1695 ARMY nomination of Wilson R. Ramos, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1696 ARMY nomination of Curtis D. Bowe, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1697 ARMY nomination of Carl E. Foster, III, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1698 ARMY nomination of Michael A. Fowles, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1699 ARMY nomination of Andrew K. Sinden, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1700 ARMY nominations (2) beginning D013264, and ending D013298, which nominations were received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1701 ARMY nomination of Christopher F. Ruder, which was received by the Senate and appeared in the Congressional Record of March 6, 2018.

PN1736 ARMY nominations (2) beginning JOHN J. MORRIS, and ending MIN S. RO, which nominations were received by the Senate and appeared in the Congressional Record of March 12, 2018.

PN1737 ARMY nominations (2) beginning CHRISTOPHER M. BELL, and ending ADRIANA B. DEJULIO, which nominations were received by the Senate and appeared in the Congressional Record of March 12, 2018.

PN1738 ARMY nomination of Mikal L. Stoner, which was received by the Senate and appeared in the Congressional Record of March 12, 2018.

IN THE MARINE CORPS

PN1432 MARINE CORPS nominations (7) beginning ERIC G. BURNS, and ending DAVID P. SHEEHAN, which nominations were received by the Senate and appeared in the Congressional Record of January 8, 2018.

PN1491 MARINE CORPS nominations (2) beginning THESOLINA D. HUBERT, and ending TIMOTHY W. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 18, 2018.

PN1592 MARINE CORPS nominations (337) beginning BENJAMIN S. ADAMS, and ending CARL L. ZEPPEGNO, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1611 MARINE CORPS nomination of Aaron J. King, which was received by the Senate and appeared in the Congressional Record of February 8, 2018.

IN THE NAVY

PN1740 NAVY nomination of Jeffrey G. Benton, which was received by the Senate and appeared in the Congressional Record of March 12, 2018.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that 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.

RECOGNIZING IRISH IMMIGRANTS AND IRISH-AMERICANS IN ILLINOIS

Mr. DURBIN. Mr. President, this past Saturday was St. Patrick's Day. The city of Chicago celebrated, as it has every St. Patrick's Day since 1962, by dyeing the Chicago River a deep emerald green.

In the Windy City and in cities and towns throughout Illinois, across America, and around much of the world, people wore green and attended St. Patrick's Day parades and parties.

No nation—including Ireland herself—celebrates St. Patrick's Day with as much enthusiasm as Americans do. Whether your ancestors came to this country from Dublin or the Dominican Republic, from Galway or Greece, on March 17, as the saying goes, everyone is Irish.

But America didn't always love the Irish. From the middle of the 19th century and well into the 20th century, it was not uncommon for employment ads in America to carry the warning: "No Irish Need Apply." In 1857, Harpers Weekly asserted that "nearly 75 percent of our criminals and paupers are Irish . . . [and] 75 percent of the crimes of violence committed among us are the work of Irishmen."

Irish immigrants had been an integral part of America since our earliest days as a nation. Nine of the 56 men who signed the Declaration of Independence were Irish Americans. They included four men who were born in Ireland. And Irish Americans fought and died in the Revolutionary War to secure America's freedom from England.

The Irish who came to America beginning in the mid-1840s, however, were different than the earlier arrivals from Erin's shores. These were "the Famine Irish." They fled Ireland to escape one of the greatest catastrophes ever to befall that nation.

We know it today as "the potato famine." In Ireland, it was called "the Great Hunger" or, in Gaelic, the old Irish tongue, "An Gorta Mor."

In 1845, a fungus, carried to Ireland from America, destroyed all of Ireland's potato crops. All across Ireland, potato fields turned black and rotted from the blight.

Ireland was not an independent nation then, as it is now. It had been occupied and ruled for hundreds of years by England, and most of the land was owned by absentee English landlords.

The native Irish were mostly tenant farmers, what Americans would call "sharecroppers," allowed to farm only tiny plots of land. The calorie-rich potato became the subsistence crop for the Irish, the one crop they could grow on their small parcels of land that could feed a family.

When the potato crops failed, England refused to intervene. Some in England warned that providing emergency food relief to the starving Irish would disrupt with the workings of a free market. Others declared that famine

and death were God's way of punishing the Irish.

Starving Irish who could no longer pay their rent were driven off their land and into workhouses. Others died on the sides of roads, their mouths stained green from eating grass. Soon, typhus and cholera were claiming as many lives as starvation.

When the Great Hunger began, 3 million people lived in Ireland. Three years later, 1 million people had died, and another 1 million had fled Ireland, most of them to America. In the period between 1845 and 1860, approximately 20,000 Irish a month were flooding into America.

They called America "An t-Oilean Ur"—"The Fresh Land," but many of the old prejudices followed them. The Famine Irish, the first large group of non-Protestants immigrants to America, were derided as superstitious Papists incapable of adapting to America's Anglo-Saxon culture.

Irish Americans were denounced as "simian" or apelike.

An editorial published in the Chicago Tribune in 1855 captured the antipathy with which many native-born Americans regarded Irish immigrants. It asked, "Who does not know that the most depraved, debased, worthless and irredeemable drunkards and sots which curse the community are Irish Catholics?"

In the 1850s, a new political party emerged. The Native American Party, better known as the "Know Nothings," was virulently anti-Catholic and anti-immigrant.

Many politicians were cowed by the anger of the Know Nothings, but Abraham Lincoln was not. Lincoln employed Irish staff at his home in Springfield and, later, in the White House. He donated to Irish famine relief.

In a letter he wrote to a friend in 1855, he came out foursquare against Know Nothingness. "How can anyone who abhors the oppression of Negroes, be in favor or degrading classes of white people?" he asked. "Our progress in degeneracy appears to me to be pretty rapid." As a nation, we began by declaring that 'all men are created equal.' We now practically read it 'all men are created equal, except Negroes.' When the Know-Nothings get control, it will read 'all men are created equal, except Negroes, and foreigners, and Catholics.' When it comes to this," Lincoln continued, "I should prefer emigrating to some country where they make no presence of loving liberty—to Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrisy."

A decade later, Lincoln's brave refusal to embrace the bigotry of the Know Nothings helped save the Union. Although Irish Americans were mostly Democrats, they heeded the call of America's first Republican President to save the Union when slavery threatened to destroy it.

During the Civil War, more than 150,000 of the reviled Irish rallied to the

side of Lincoln and the Union. They included some of Lincoln's best generals.

Among them was Brigadier General Thomas Francis Meagher. A brilliant orator and the son of a wealthy Catholic family in Ireland, Meagher was a leader in a failed 1848 revolution in Ireland called the Young Ireland Rebellion. He was convicted of treason and sentenced to a life in exile in an Australian penal colony. Within 3 years, he had escaped to New York and became a prominent attorney.

Thomas Meagher's remarkable, improbable life is told in an excellent new biography, "The Immortal Irishman," by National Book Award winner Timothy Egan. I recommend it highly.

When the Civil War broke out, Tom Meagher wrote to President Lincoln seeking permission to form an ethnic Irish brigade. He recruited a full company of infantrymen to be attached to the U.S. 69th Infantry Regiment New York State Volunteers.

"The Fighting 69th" fought in some of the war's bloodiest conflicts, including the first battle of Bull Run and the battles of Antietam and Chancellorsville. After seeing Meagher's men at the Battle of Fredericksburg, General Robert E. Lee declared, "Never were men so brave."

The Fighting 69th was not the only Irish brigade fighting for the Union.

This year, Illinois is celebrating its 200th anniversary as a State. Among the countless chapters in our State's history in which we take pride is the story of the 23rd Regiment of the Illinois Infantry, Illinois' own "Irish Brigade."

The brigade's commander, James Mulligan, was born in New York and moved to Chicago as a boy. He became the first graduate of Chicago's first university, St. Mary's of the Lake. Later, he became a lawyer and a friend and confidant of Stephen Douglas.

When the Civil War broke out, Mulligan placed an ad in the Chicago Tribune on April 20, 1861, calling for a rally that evening. Thirty-two men enlisted at the rally; 3 days later, 1,000 men had joined the regiment.

Mulligan's Irish brigade spent most of the war in Virginia. They participated in Siege of Petersburg, and they were present for Lee's surrender at Appomattox.

James Mulligan did not live to see the Union victory. He was wounded on September 19, 1864, at the third battle on Winchester. As his Irish soldiers rushed to his side, Mulligan saw that the colors of the 23rd Illinois were about to be captured, and he gave his men an order, "Lay me down, and save the flag."

The colors were saved; Mulligan was captured and died of his wounds in Confederate captivity.

Private Albert Cashier was an Irish immigrant who fought for 3 years with the 95th Illinois Infantry, Company G. At just 5' 3", he was the smallest man in his company and, many said, the bravest.

He returned to Belvidere, IL, after the war, and in 1869, he moved to Saunemin, IL, where he made his living as a farmhand and church janitor.

In 1911, after he was hit by a car and was no longer able to work, Albert Cashier moved to the soldiers and sailors home in Quincy, Illinois.

His mental state deteriorated, and he was moved to Watertown State Hospital for the Insane. It was there that hospital staff discovered his secret and told it to newspapers: Albert Cashier was born Jennie Rodgers.

The reactions were disastrous for Private Cashier. The government charged him with defrauding the government in order to receive a pension. The case was dropped after Private Cashier's comrades from the 95th Illinois rallied to his defense.

The hospital staff forced Private Cashier to wear women's clothing. At 67 and frail, he tripped on his skirt, broke his hip, and spent the rest of his life despondent and bedridden.

He died on October 10, 1915, and was buried in the Army uniform he had kept intact all those years. His tombstone was inscribed "Albert D. J. Cashier, Co. G, 95 Ill. Inf."

Albert Cashier is one of the best known of the 400 women who fought in the Civil War.

Whether Private Cashier was transgender or simply a woman unwilling to accept the severe limits imposed on women in the 19th century will likely never be known.

This much is clear, however: The brave service of Irish Americans in the Civil War helped to diminish the hostility that greeted the Famine Irish. Within two or three generations, Americans would elect two Irish-American Presidents: John Fitzgerald Kennedy, still the only Catholic President, and Ronald Reagan.

Some of the voices we hear in today's immigration debate would sound right at home among the Know Nothings of Lincoln's time. Sadly, one of the loudest of those harsh voices belongs to the current President of the United States.

President Trump opened his campaign by vilifying Mexican immigrants. He tried to ban visitors from seven predominantly Muslim nations from entering the United States. He has cruelly placed Dreamers in legal jeopardy. He has recommended cutting legal immigration—legal immigration—to America by one-half, to its lowest levels since the 1920s.

President Trump's anti-immigrant, antirefugee proposals are an affront to America's history as a nation of immigrants, and they would deal a harsh blow to our economic future. If you doubt it, just ask yourself: Where would America's economy be today without the contributions of immigrants Sergey Brin and Elon Musk, or Steve Jobs, the son of a Syrian immigrant?

I believe that future generations of Americans will look back on today's anti-immigrant agitators with sadness

and bewilderment. They will applaud those Americans who worked to preserve America's values as a nation of immigrants.

I am proud to say that one of those champions is an Irish immigrant from Chicago. His name is Billy Lawless. He moved to America with his family nearly 20 years ago.

Billy, his wife, Anne, and their four grown children are all American citizens now. Together, they own some of the best, most popular restaurants and pubs in Chicago.

Billy Lawless is also a tireless and eloquent advocate for immigration reform. It is not just Irish immigrants that he cares about; it is all immigrants and refugees. He is chairman of a group called Chicago Celts for Immigration Reform and a founding member of the Illinois Business Immigration Coalition.

Two years ago, he gained another, extraordinary platform from which to advocate for just immigration policies. Lawless, who holds dual U.S.-Irish citizenship, was appointed to serve in the Irish Senate, representing the Irish Diaspora overseas.

"The America that I believe in," he says, "is a humane nation. It is the land of the free, the land of opportunity, and the land of immigrants."

Let us remember that this month, as we celebrate the contributions of Irish immigrants to America.

#### FOR-PROFIT COLLEGES

Mr. DURBIN. Mr. President, it has been nearly 4 years since the collapse of Corinthian Colleges and almost 2 years since the collapse of ITT Tech, two of the largest college collapses in U.S. history.

These infamous companies left tens of thousands of students in the lurch, interrupting their education and leaving them with worthless credits and tons of debt.

Rather than being anomalies, these companies embodied the for-profit college industry, an industry that enrolls only 9 percent of all postsecondary students but accounts for 33 percent of all Federal student loan defaults. The same predatory practices that took down Corinthian and ITT Tech are commonplace throughout the for-profit college industry, even today.

So this notion that some would have you believe—that, with Corinthian and ITT Tech gone, this industry is magically cleaned up and purged of bad actors—is nothing more than an attempt by the industry to justify rolling back important consumer protections like the Gainful Employment and Borrower Defense rules.

Case in point: Ashford University is owned by Bridgepoint Education. This is a company that, from its very inception, has shown a determination to work the system in order to profit.

It all began in 2005, when a group of investors bought a tiny Catholic college in Iowa, which at the time had an

enrollment of 312 students, but what came along with that small campus was the gold for Ashford: regional accreditation. That accreditation opened the company's coffers to millions in Federal student aid funds.

Since that time, Ashford has closed the Iowa campus and become an online giant, enrolling more than 40,000 students across the country and taking in almost \$390 million in Federal title IV funds.

Boy, have Ashford executives and owners gotten rich. From 2014 to 2016, Bridgepoint's CEO, Andrew Clark, made more than \$10 million in total compensation.

Meanwhile, its students have been left buried in debt with worthless diplomas that employers often don't recognize. According to a recent Brookings study, as of 2014, Ashford student cumulatively owed almost \$6 billion in Federal student loan debt, making it one of eight for-profit schools in the top 10 schools whose students owe the most cumulative debt. Of the Ashford students who left in 2009, nearly half had defaulted on their debt 5 years later.

Just like Corinthian and ITT Tech, Ashford has been the subject of numerous Federal and State investigations and lawsuits.

Ashford is currently being investigated by State attorneys general in Iowa, Massachusetts, New York, and North Carolina, as well as the U.S. Securities and Exchange Commission and U.S. Department of Justice. The California Attorney General is currently suing Ashford for "defrauding and deceiving students."

In addition, in 2014, Ashford was forced to pay \$7.25 million in a settlement with the Iowa Attorney General for consumer fraud. Once again, Ashford used false and misleading statements, as well as unfair and high-pressure sales tactics to lure students into enrolling and taking on debt.

Just last year, Ashford agreed to pay \$30 million to the Consumer Financial Protection Bureau for deceptive acts and practices, including misleading students about their student loan payments.

Also like Corinthian and ITT Tech, Ashford uses mandatory predispute arbitration clauses to hide its misconduct and prevent students from holding them accountable in court.

These clauses, often buried in stacks of enrollment documents that students must sign in order to take classes, force students to give up their right to sue the school of misconduct either as individuals or part of a class. The practice is almost unheard of at public and legitimate not-for-profit institutions, but is a hallmark of the for-profit college industry.

Not only does the practice steer disputes into arbitration proceeding where the deck is often stacked against the student, nondisclosure agreements often prevent the alleged misconduct or the outcome of the arbitration pro-

ceeding from becoming public. This hides misconduct from regulators and accreditors, often allowing for-profit colleges like Ashford to continue illegal practices for years without detection.

In addition to receiving millions of dollars in Department of Education title IV funds, Ashford also heavily recruits veterans and servicemembers who qualify for Department of Veterans Affairs G.I. bill funds.

You see, for-profit colleges see veterans and servicemembers as gold.

Federal law prohibits for-profit colleges from receiving more than 90 percent of their revenue from Federal sources, but rather than counting all taxpayer-funded education assistance programs, including VA G.I. bill and Department of Defense tuition assistance, current law only counts title IV funds as Federal revenue.

This means that by aggressively targeting and recruiting veterans and servicemembers, for-profit colleges like Ashford can receive an unlimited amount of their revenue straight from the Federal Treasury.

Marine veteran James Long found himself on the receiving end of that aggressive recruiting. A few years ago, Bloomberg told his story:

His Humvee was struck by artillery shells in Iraq. He suffered a severe brain injury. While recovering at Camp Lejeune, he was visited by an Ashford recruiter who signed him up for classes. But despite knowing he was enrolled, his brain injury was so severe that he couldn't remember what courses he was enrolled in.

The California Attorney General's complaint against Ashford includes the stories of two other veterans.

First, an Army Reserve veteran referred to as P.M. was encouraged by Ashford representatives to attend courses at a local community college while taking classes at Ashford.

P.M. was told that, by attending a ground-based campus rather than just Ashford's online classes, he would qualify for a higher monthly housing allowance under the G.I. bill, and he could transfer his community college credits toward his Ashford program. He was later "alarmed" to find that Ashford limited the number of credits he could transfer and refused to recognize some of the courses he had previously completed.

As a result, P.M. had to take additional courses at Ashford, receiving the lower housing allowance rate, to make up for the lost credits. He then "fell behind on his rent, had to take on another job to keep up with his bills, and his credit score suffered." In addition, he wasted part of his limited G.I. bill education benefits on courses that he could not put toward a degree.

Another veteran, "P.J.," was told that Ashford would accept most of the 140 credits he had earned at other institutions and could expect to graduate within 18 months. He was also assured that he would be able to transfer his Ashford credits to a community college.

After he had already enrolled and began taking classes at Ashford, P.J. discovered that Ashford had accepted none of his credits from other schools despite their promises. When he later tried to transfer his Ashford credits to two other schools, he found that neither would accept them.

This is how Ashford treats veterans.

In recent years, Ashford has taken in as much as \$38 million in G.I. bill funds and is currently engaged in a fight to maintain eligibility to receive these funds in the future.

Here is what it boils down to: Ashford is not approved for G.I. bill benefits by the California State Approving Agency, a requirement for it to be eligible for G.I. bill funds nationwide. The company has spent months on dubious legal action and other schemes to skirt Federal G.I. bill eligibility requirements. The matter is now in court.

With its G.I. bill eligibility in doubt, Ashford announced in November it would voluntarily suspend new enrollments of veterans using G.I. bill funds. This would prevent new veterans from being put at risk and additional taxpayer dollars being wasted should the company lose eligibility.

As reported by The Chronicle of Higher Education, the company resumed new G.I. bill enrollments in February and acknowledged on a call with investors that the suspension had "negatively impacted fourth-quarter performance." That is right; the company made the blatant decision that profits are more important than veterans.

Last week, Senator HASSAN and I sent a letter to Bridgepoint's CEO, Andrew Clark, expressing our outrage and calling on him to immediately halt new enrollments until their G.I. bill eligibility is resolved with the VA. If the company fails to do so, it will lay bare the true disregard they have for the students, especially veterans, they claim to serve.

Also last week, Bridgepoint announced that it is up to even more shenanigans. It will attempt to separate from Ashford and another school it owns to become an Online Program Management company while Ashford seeks to become a not-for-profit college. If approved, this complicated maneuver would mean that Ashford would no longer have to abide by the Federal 90-10 rule or other accountability measures focused on for-profit colleges.

At the same time, other for-profit conversions have been structured in a way that their owners are still able to personally profit from the new not-for-profit entity. It is the best of both worlds for owners and investors; the school is able to shed Federal accountability requirements while still profiting off of students and taxpayers.

I call on the Internal Revenue Service, the Department of Education, and Ashford's accreditor—the WASC Senior College and University Commission—to carefully scrutinize this proposal in light of other dubious for-profit conver-

sions and Bridgepoint's own long record of misconduct.

Despite the closure of Corinthian and ITT Tech, companies like Ashford continue to exploit students and veterans while raking in billions in Federal taxpayer dollars, using every possible scheme they can think of to do it.

Until Secretary DeVos stops siding with her friends in the for-profit college industry or Congress acts, students will continue to be harmed and taxpayer dollars will continue to line the pockets of cheats and crooks.

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

#### DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-60, concerning the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services estimated to cost \$300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(for Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 17-60

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0 million.  
Other \$300 million.  
Total \$300 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: A new Foreign Military Sales Order (FMSO) II to provide funds for blanket order requisitions under a Cooperative Lo-

gistics Supply Support Agreement (CLSSA) for common spares/repair parts to support Saudi Arabia's fleet of M1A2 Abrams tanks, M2 Bradley Fighting Vehicles, High Mobility Multipurpose Wheeled Vehicles (HMMWVs), Light Armored Vehicles (LANs), M198 Towed Howitzers, additional support, and other related elements of logistics and program support.

(iv) Military Department: Army (XX-B-KYN).

(v) Prior Related Cases, if any: SR-B-KYM, SR-B-KYL, SR-B-KSB, SR-B-KRK, SR-B-KRI, SR-B-KRE, SR-B-KRB, SR-B-KRA, SR-B-KLF, SR-B-KEZ, SR-B-UBW.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: March 22, 2018.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

Saudi Arabia—Royal Saudi Land Forces Ordnance Corps Foreign Military Sales Order (FMSO) II Case

The Government of the Kingdom of Saudi Arabia has requested a possible purchase of a new Foreign Military Sales Order (FMSO) II to provide funds for blanket order requisitions under a Cooperative Logistics Supply Support Agreement (CLSSA) for common spares/repair parts to support Saudi Arabia's fleet of M1A2 Abrams tanks, M2 Bradley Fighting Vehicles, High Mobility Multipurpose Wheeled Vehicles (HMMWVs), Light Armored Vehicles (LAVs), M198 Towed Howitzers, additional support, and other related elements of logistics and program support. The total estimated program cost is \$300 million.

This proposed sale will contribute to U.S. foreign policy and national security objectives by helping to improve the security of a friendly country which has been, and continues to be, an important force for political stability and economic growth in the Middle East. This potential sale is consistent with U.S. initiatives to provide key allies in the region with modern systems that will enhance interoperability with U.S. forces and increase stability.

The primary objective of this proposed sale is to allow the Royal Saudi Land Forces Ordnance Corps to continue to purchase needed spare/repair parts to maintain Saudi Arabia's fleet of M1A2 Abrams Tanks, M2 Bradley Fighting Vehicles, High Mobility Multipurpose Wheeled Vehicles (HMMWVs), Light Armored Vehicles (LAVs), M198 Towed Howitzers, additional support vehicles and other related logistics support as part of the Cooperative Logistics Supply Support Arrangement (CLSSA) program. Saudi Arabia will have no difficulty absorbing this equipment and support into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

There are no principal contractors involved with this potential sale. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the permanent assignment of any U.S. Government or contractor representatives to Saudi Arabia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-52, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$106.8 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(for Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 17-52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0 million.  
Other \$106.8 million.  
Total \$106.8 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Continuation of Maintenance Support Services (MSS) contract that supports the Royal Saudi Land Forces Aviation Command's (RSLFAC) fleet of AH-64D/E, UH-60L, Schweizer 333 and Bell 406CS helicopters. The MSS contract services includes the management and installation of engineering change proposals and modification work orders; Repair and Return (R&R) management services and component repairs; aircraft simulator logistics, maintenance and technical support; training; and maintenance management support for the RSLFAC Headquarters staff; and other related elements of logistics and program support.

(iv) Military Department: Army (SR-B-ZAU).

(v) Prior Related Cases, if any: SR-13-UAF; SR-B-UGZ; SR-B-WAL.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: March 22, 2018.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—Continuation of Maintenance Support Services (MSS)

The Kingdom of Saudi Arabia has requested the continuation of the Maintenance Support Services (MSS) contract that supports the Royal Saudi Land Forces Aviation Command's (RSLFAC) fleet of AH-64D/E, UH-60L, Schweizer 333 and Bell 406CS helicopters. The MSS contract services includes management and installation of engineering change proposals and modification work orders; Repair and Return (R&R) management services and component repairs; aircraft simulator logistics, maintenance and technical support; training; and maintenance management support for the RSLFAC Headquarters staff; and other related elements of logistics and program support. The estimated total case value is \$106.8 million.

This proposed sale will support U.S. foreign policy and national security objectives

by helping to improve the security of a friendly country which has been, and continues to be, an important force for political stability and economic growth in the Middle East. This potential sale is a continuation of current support. Saudi Arabia will have no difficulty absorbing this equipment and support into its armed forces.

The continuation of MSS services will aid in the maintenance support of Saudi Arabia's rotary wing aircraft fleet, engines, avionics, weapons, and missile components.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be DynCorps International, Mclean, VA. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will require the assignment of one (1) U.S. Government and up to three hundred twenty (320) contractor representatives to travel to Saudi Arabia for a period of two (2) years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-62, concerning the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services estimated to cost \$670 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(for Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 17-62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$647 million.  
Other \$23 million.  
Total \$670 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to six thousand six hundred (6,600) TOW 2B Missiles (BGM-71F-Series)  
Ninety-six (96) TOW 2B (BGM-71F-Series) Fly-to-Buy Lot Validation Missiles

Non-MDE:

Also included is government furnished equipment; technical manuals and publications; essential spares and repair parts; consumables; live fire exercise and ammunition; tools and test equipment; training; transportation; U.S. Government technical support and logistic support; contractor technical support; repair and return support; quality assurance teams; in-country Field Service Representative (FSR); other associated equipment and services in support of TOW 2B missiles; and other related elements of logistics and program support.

(iv) Military Department: Army (SR-B-VBQ).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 22, 2018.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Saudi Arabia—TOW 2B (BGM-71F-Series) Missiles

The Government of the Kingdom of Saudi Arabia has requested to buy up to six thousand six hundred (6,600) TOW 2B missiles (BGM-71F-Series) and ninety-six (96) TOW 2B (BGM-71F-Series) fly-to-buy lot validation missiles. Also included is government furnished equipment; technical manuals and publications; essential spares and repair parts; consumables; live fire exercise and ammunition; tools and test equipment; training; transportation; U.S. Government technical support and logistic support; contractor technical support; repair and return support; quality assurance teams; in-country Field Service Representative (FSR); other associated equipment and services in support of TOW 2B missiles; and other related elements of logistics and program support. The total estimated program cost is \$670 million.

This proposed sale will support U.S. foreign policy and national security objectives by improving the security of a friendly country which has been, and continues to be, an important force for political stability and economic growth in the Middle East. This potential sale is consistent with U.S. initiatives to provide key partners in the region with modern systems that will enhance interoperability with U.S. forces and increase stability.

The proposed sale of TOW 2B missiles and technical support will advance the Kingdom of Saudi Arabia's efforts to develop an integrated ground defense capability. A strong national defense and dedicated military force will assist Saudi Arabia to sustain itself in its efforts to maintain stability. Saudi Arabia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor is Raytheon Missile Systems, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the permanent assignment of any U.S. Government or contractor representatives to Saudi Arabia. There will be no more than two contractor personnel in the Kingdom of Saudi Arabia at any one time and all efforts will take less than two weeks in total.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The TOW 2B RF Missile is a fly-over-shoot-down missile designed to defeat armored vehicles. These missiles are fired from a variety of TOW launchers in the U.S. Army, USMC and FMS customer forces. The TOW 2B RF can be launched from the same launcher platforms as the existing wire-guided TOW 2B missiles without modification to the launcher. The TOW 2B missile (both wire & RF) contains two tracker beacons (xenon and thermal) for the launcher to track and guide the missile in flight. Guidance commands from the launcher are provided to the

missile by an RF link contained within the missile case. The hardware, software and technical publications provided with the sale are unclassified; however, the system itself contains sensitive technology that instructs the system on how to operate in the presence of countermeasures.

2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that Saudi Arabia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Kingdom of Saudi Arabia.

**BUDGETARY REVISIONS**

Mr. ENZI. Mr. President, on February 9, 2018, the President signed the Bipartisan Budget Act of 2018 into law, H.R. 1892, P.L. 115-123. This bill passed the Senate by a vote of 71 to 28 and the House of Representatives by a vote of 240 to 186. Section 30101 of H.R. 1892 increased the statutory discretionary spending limits for Fiscal Year 2018. More specifically, it increased the Fiscal Year 2018 discretionary spending limit for the revised security category to \$629 billion in new budget authority and the revised nonsecurity category to \$579 billion in new budget authority. Section 4108 of the Fiscal Year 2018 congressional budget resolution provides me with the authority to adjust enforceable levels and allocations for such changes in the statutory limits. I am therefore adjusting the allocation

to the Committee on Appropriations and the budgetary aggregates to reflect the new spending limits imposed by the Bipartisan Budget Act of 2018.

In addition to the changes triggered by P.L. 115-123, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments. The Senate is considering the House amendment to the Senate amendment to H.R. 1625, the Consolidated Appropriations Act, 2018. This measure provides full-year appropriations for Federal Government agencies and contains spending that qualifies for cap adjustments under current statute.

This measure includes \$78,097 million in budget authority that is designated as being for overseas contingency operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of BBEDCA. Of that amount, \$66,079 million is for spending in the security category and \$12,018 million is for non-security spending. CBO estimates that this budget authority will result in \$43,344 million in outlays in Fiscal Year 2018.

This measure also includes \$7,366 million in nonsecurity discretionary budget authority designated for disaster relief pursuant to section 251(b)(2)(D) of BBEDCA. This designation makes the spending associated with this provision and its associated outlays of \$368 million eligible for an adjustment.

This legislation provides \$1,896 million in nonsecurity discretionary bud-

et authority for program integrity efforts. This funding is designated pursuant to section 251(b)(2)(B) and section 251(b)(2)(C) of BBEDCA. CBO estimates that this budget authority will result in \$1,576 million in outlays this fiscal year.

Finally, this legislation repurposes existing emergency funding increasing outlays by \$1 million. This action is designated as an emergency pursuant to section 251(b)(2)(A)(i) of BBEDCA.

As a result of the aforementioned designations, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised security budget authority by \$146,022 million, revised non-security budget authority by \$84,531 million, and outlays by \$108,997 million in Fiscal Year 2018. Further, I am increasing the budgetary aggregate for Fiscal Year 2018 by \$230,553 million in budget authority and \$108,997 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

**REVISION TO BUDGETARY AGGREGATES**  
(Pursuant to Section 4108 of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018 and Sections 311 and 314(a) of the Congressional Budget Act of 1974)  
(\$ in millions)

	2018
<b>Current Spending Aggregates:</b>	
Budget Authority .....	3,169,583
Outlays .....	3,112,609
<b>Adjustments:</b>	
Budget Authority .....	230,553
Outlays .....	108,997
<b>Revised Spending Aggregates:</b>	
Budget Authority .....	3,400,136
Outlays .....	3,221,606

**REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2018**

(Pursuant to Section 4108 of H.Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018 and Sections 302 and 314(a) of the Congressional Budget Act of 1974)  
(\$ in millions)

	2018					
<b>Current Allocation:</b>						
Revised Security Discretionary Budget Authority .....						554,913
Revised Nonsecurity Category Discretionary Budget Authority .....						635,532
General Purpose Outlays .....						1,199,535
<b>Adjustments:</b>						
Revised Security Discretionary Budget Authority .....						146,022
Revised Nonsecurity Category Discretionary Budget Authority .....						84,531
General Purpose Outlays .....						108,997
<b>Revised Allocation:</b>						
Revised Security Discretionary Budget Authority .....						700,935
Revised Nonsecurity Category Discretionary Budget Authority .....						720,063
General Purpose Outlays .....						1,308,532
	Regular	OCO	Program Integrity	Disaster Relief	Emergency	Total
<b>Memorandum: Detail of Adjustments Made Above:</b>						
Revised Security Discretionary Budget Authority .....	79,943	66,079	0	0	0	146,022
Revised Nonsecurity Category Discretionary Budget Authority .....	63,251	12,018	1,896	7,366	0	84,531
General Purpose Outlays .....	63,708	43,344	1,576	368	1	108,997

**YEMEN WAR POWERS RESOLUTION**

Mr. VAN HOLLEN. Mr. President, the brutal war in Yemen has raged for 3 years. At least 10,000 civilians have lost their lives in this conflict. More than 8 million Yemenis are on the brink of starvation. The worst cholera outbreak in modern history has afflicted over 1 million people, including over 600,000 children. Millions more are

displaced from their homes. As the years wear on, the cycle of desperation, destruction, and death continues unabated.

Make no mistake: The Houthis and their Iranian backers bear great responsibility for the civilian toll of this war. However, the Saudi-led coalition, with U.S. military support, continues to conduct hundreds of airstrikes each

month. According to the United Nations, almost two-thirds of reported civilian deaths are the result of these airstrikes.

The administration claims U.S. military support for the coalition, in the form of aerial refueling, munitions sales, and targeting assistance, provides leverage in the conflict; yet the Defense Department appears to know

disturbingly little about how U.S. military assistance is used on the battlefield, including whether our refueling enables the bombing of civilians. Most critically, with both sides at a total impasse, the prospect of a political settlement is farther from reach now than at the beginning of this devastating war.

In short, U.S. policy in Yemen has been an abject failure, and by continuing our military assistance unmitigated, we are complicit in this tragedy.

This complicity is fueled by President Trump's unquestioning embrace of the Saudi monarchy, and his apparent inability to use our leverage to place meaningful restraints on the Saudi attacks in Yemen. In addition, more than a year after his inauguration, the President has not put forward nominees to fill key diplomatic posts that would be responsible for addressing this conflict, including the Assistant Secretary of State for Near Eastern Affairs or the U.S. Ambassador to Saudi Arabia. He has alienated our counterparts at the United Nations. In action and in deed, President Trump has all but ensured the onslaught in Yemen will continue.

I believe it is incumbent on the Congress to hold the Saudi-led coalition accountable and no longer to abdicate our responsibility in decisions of peace and war. S.J. Res. 54 reins in the President's largely unencumbered war making powers and ends unconditional U.S. military support for the Saudi campaign in Yemen without an authorization from Congress. For these reasons, I voted against the motion to table this resolution.

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#### ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT

Mr. VAN HOLLEN. Mr. President, I want to discuss S. 2155, the banking bill, and explain the provisions of the bill I supported, those I opposed, and my reasons for ultimately opposing this legislation.

Over the past year, I have appreciated the opportunity to meet with Maryland community bankers, consumers, and an array of stakeholders who would be impacted by this bill. I have organized roundtables on economic development in Howard County and Baltimore. I have met with consumer groups who want a strong regulatory framework to ensure fair lending and to protect taxpayers from excessive risk-taking by some of the biggest banks. Most recently, I held a forum with my State's attorney general, Brian Frosh, where hundreds of passionate Marylanders came out on a rainy night to talk about consumer protection.

We need a healthy banking system that serves Maryland businesses and consumers, and banking regulations should be appropriately tailored to the risks a bank poses to consumers, taxpayers, and the economy. Community

banks should not have to comply with all of the regulations that apply to large Wall Street banks. That is why I support many of the reforms in this bill to relieve community banks of some unnecessary regulations. I also support provisions to modernize the Federal Deposit Insurance Act, so that reciprocal deposits are not considered to be brokered deposits.

While I supported most of the reforms relating to community banks and credit unions, I have concerns with provisions in the bill that will encourage excessive risk-taking in systemically important banks and am disappointed by the absence of strengthened protections for consumers.

For example, this legislation significantly raises the threshold for enhanced prudential standards for systemically important financial institutions, SIFIs. While I can support an increase in the threshold, I believe this bill goes too far. Gary Gensler, the chair of the Maryland Financial Consumer Protection Commission, and the former chairman of the Commodities Futures Trading Commission, has pointed out that this bill dials down prudential oversight for about 20 percent of U.S. banking sector assets. Mr. Gensler also noted that section 401 could be construed as possibly requiring the Federal Reserve to raise the threshold at which foreign megabanks are subject to the enhanced standards, thereby potentially allowing the very biggest banks to escape some of the current regulations.

I am also concerned that section 402 of the bill modifies the supplementary leverage ratio by excluding custodial assets for custodial banks. This provision allows for greater risk-taking among megabanks. Removing custodial assets from the denominator of the supplementary leverage ratio will allow these banks to take on risk in all areas. Former Federal Reserve Governor Daniel Tarullo said that removing one type of asset from a ratio on the grounds that it is safe "would defeat the whole purpose of a leverage ratio, which is to place a cap on total leverage, no matter what the assets on the other side of the balance sheet may be." Former FDIC Chair Sheila Bair wrote that "Section 402 will create an uneven playing field by giving big systemic banks a special capital break not applicable to community and regional institutions." Moreover, this could create a slippery slope where we start excluding other items banks deem "safe" from the ratio.

Additionally, I cannot ignore the fact that this bill does very little to help strengthen consumer protections at a time when the Trump administration is eliminating rules that protect consumers. If we can reach bipartisan agreement to modify regulations for banks, surely we can find agreement on ways to help protect consumers from the abuses we have seen from the likes of Wells Fargo and Equifax.

I am particularly troubled by two last-minute changes that benefit

Equifax. Section 310 has the admirable goal of increasing competition in the credit scoring industry. However, the primary beneficiary of this provision is VantageScore, a company jointly created by the three consumer credit reporting agencies, Equifax, TransUnion, and Experian. This means that a company that is essentially owned by the credit bureaus will also have the ability to determine your score. In short, this bill gives the credit bureaus a key tool to take over the credit reporting and scoring markets. Be assured that I will closely watch how the Federal Housing Finance Agency implements section 310.

After both Republicans and Democrats spent the past 6 months saying that we would hold the credit reporting agencies more accountable, this bill makes a second last-minute change that would prevent members of the armed services who receive a free credit freeze from suing the credit reporting bureaus for wrongdoing.

We hear time and time again about how poorly the credit reporting bureaus treat consumers. False information in credit reports can do great harm to consumers; yet the credit rating agencies face no real sanctions for their culpability. That is unacceptable. We need to change the system so that these companies have better incentives to produce accurate credit reports, including sanctioning them for inaccurate and breached data. We must give consumers the power to control their own data and provide them with the ability to take legal action against the bureaus when they have been wronged. Providing the bureaus with a shield from legal liability and opening the door for them to manipulate the credit reporting industry is going in the wrong direction.

In conclusion, while I support many provisions in the bill, especially those relating to community banks and credit unions, I believe other provisions in the bill create excessive risks. Those risks, as well as the failure to use this opportunity to further protect consumers, led me to oppose this bill.

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#### TRIBUTES TO THAD COCHRAN

Mr. GRASSLEY. Mr. President, Senator COCHRAN and I met while serving together in the House of Representatives, but it was in the Senate that we became close colleagues. Throughout his service, Senator COCHRAN has remained devoted to the U.S. Senate functioning as a bipartisan, deliberative body. It is a goal I have long admired about Senator COCHRAN and a mission I share.

As only the second Republican to be elected to represent Mississippi in the House of Representatives since Reconstruction and the first Republican to win a statewide election in a century at the time he was elected to the U.S. Senate, Senator COCHRAN proved that it is ideas and commitment to constituents that move communities and

States forward. Throughout his career, Senator COCHRAN continued to prove time and again that this is the path to legislative success.

You really get to know a colleague when you travel with them. I know Senator COCHRAN as a deliberative and thoughtful colleague. Though collegial and cautious, Senator COCHRAN was dogged in his pursuit to represent the interests of Mississippi. Senator COCHRAN and I often exchanged ideas in the Senate Agriculture Committee while he served as chairman. I can say with certainty that he represented the farmers of his State extremely well.

A hallmark of Senator THAD COCHRAN's distinguished career has been his ability to work effectively and thoughtfully on behalf of Mississippi. He has a courteous manner but commands the attention and respect of his colleagues. His deep institutional knowledge and dedication to public office will make him a sorely missed member of the United States Senate.

I thank him for his faithful service to this body and wish him well in his retirement.

Mr. NELSON. Mr. President, I would like to take a few moments to recognize my friend and colleague Senator COCHRAN of Mississippi. On April 1, the Senate will lose a tremendous public servant.

Between the House and Senate, Senator COCHRAN devoted nearly 46 years of service to his State, and I am sad to hear it is coming to an end.

The son of two educators and a fellow 4-H alumnus, Senator COCHRAN knows the importance of serving his community. In 1973, he answered the call to represent the people of Mississippi and hasn't stopped since.

As outgoing chairman of the Senate Appropriations Committee, Senator COCHRAN leaves a legacy of providing many victories to Florida. From funding the restoration of the Everglades, to ensuring our Nation's military has enough funding to defend our country, Senator COCHRAN's enduring contributions are to be commended.

I think TIME Magazine said it right when Senator COCHRAN was selected as one of America's 10 Best Senators in 2006, accurately dubbing him the "quiet persuader" after he secured nearly \$29 billion for Hurricane Katrina recovery efforts in our Gulf Coast.

His proven bipartisanship will be remembered by the people of Mississippi and by his colleagues here in the Senate.

I am proud to have served with Senator COCHRAN, and we will all miss his leadership. I wish him well on his next endeavor.

Mr. CARDIN, Mr. President, while we are all looking forward to the Passover-Easter recess, wrapping up our work this week feels bittersweet because, when we return on April 9, our dear friend and colleague THAD COCHRAN will not be returning with us. It is fitting, given his retirement, that we passed the fiscal year 2018 Omnibus Ap-

propriations Act since the senior Senator from Mississippi deserves so much of the credit for negotiating that package and getting it to the floor.

Senator COCHRAN was born and raised in Mississippi in a close-knit family that valued academic achievement, civic engagement, and hard work. Both of his parents were teachers. Senator COCHRAN was an Eagle Scout. He earned varsity letters in football, basketball, baseball, and tennis at Byram High School, where he gave a piano and voice recital his senior year, and he graduated as class valedictorian.

Senator COCHRAN attended the University of Mississippi, where he was student body vice president and earned a bachelor of arts degree with a major in psychology and a minor in political science. After he graduated, he was commissioned an ensign in the U.S. Naval Reserve and assigned to duty aboard the USS *Macon*, a heavy cruiser homeported in Boston, MA.

After Senator COCHRAN completed his tour of Active Duty in the Navy, he attended the school of law at the University of Mississippi. While in law school, he won an award for having the highest scholastic average in the first-year class, served on the editorial board of the Mississippi Law Journal, and argued before the Mississippi Supreme Court as a moot court finalist. He was awarded a Rotary Foundation graduate fellowship and studied jurisprudence and international law for a year at Trinity College in Dublin before returning to Ole Miss for his final year of law school. Senator COCHRAN's law school grade point average was the third highest of all students who graduated from the Ole Miss law school during the 1960s.

Senator COCHRAN joined the law firm of Watkins & Eager in Jackson, MS, and was made a partner in less than 3 years. It was around this time that he became a Republican, and in 1972, he elected to Congress to represent the Fourth District. He became just the second Republican to be elected to represent Mississippi in the U.S. House of Representatives since Reconstruction, after Prentiss Walker was the first in 1964. He won reelection twice, in each instance with more than 70 percent of the vote.

In 1978, Senator COCHRAN became the first Republican in more than 100 years to win a statewide election in Mississippi when he was elected to the U.S. Senate. He has since been reelected six times. Last March, he became the tenth longest serving Senator in U.S. history.

Our Nation and the State of Mississippi have benefited from Senator COCHRAN's long service. His legislative accomplishments are too numerous to list here, but I will highlight a few. First, Senator COCHRAN has been a champion of a strong national defense, both as chairman of the Appropriations Committee and the Subcommittee on Defense. Second, he has been a champion of America's farmers and ranchers

through his long service on the Senate Committee on Agriculture, Nutrition, and Forestry, which he also chaired. Third, he has been a champion for education and our Nation's cultural institutions, including the Kennedy Center and the Smithsonian Institution, serving as a regent. He has a passion for education. I mentioned that his parents were teachers; so, too, is his daughter. Senator COCHRAN has worked hard to improve educational opportunities for students in Mississippi and across the country. He has advocated for early childhood education, literacy programs, teacher development, vocational education, arts education, year-round Pell grants, and the Promise Neighborhood Program. He has increased funding for title I and to Historically Black Colleges and Universities.

In 2005, Senator COCHRAN spearheaded the effort to secure more than \$87 billion in supplemental Federal assistance to Mississippi and the other Gulf Coast States devastated by Hurricane Katrina. More recently, he coauthored the 'RESTORE the Gulf Coast Act' to help Gulf Coast States recover from the 2010 Deepwater Horizon oil spill. He helped develop, maintain, and improve the Natchez Trace Parkway, the Natchez National Historical Park, the Vicksburg National Military Park, and the Gulf Islands National Seashore. In addition, he authored provisions to promote National Park Service efforts to research and preserve sites associated with the Civil Rights movement.

Senator COCHRAN is a sportsman and a conservationist in the tradition of Teddy Roosevelt. He authored the Mississippi Wilderness Act, which was the first Federal legislation ever passed for the perpetual protection of lands in the State of Mississippi. He helped to establish national wildlife refuges as a member of the Migratory Bird Conservation Commission, and he authored the Wildlife Habitat Incentives Program. He has received numerous awards from conservation groups, including Ducks Unlimited, the North American Waterfowl Federation, the National Wildlife Federation, and the Nature Conservancy.

I could go on, but I hope this summary of just some of Senator COCHRAN's accomplishments is sufficient to illustrate how remarkably effective he has been over a long and distinguished career in public service. Senator COCHRAN is an exemplary public servant. In 2006, TIME magazine selected him as one of "America's 10 Best Senators"—a distinction I am sure no one in this Chamber would dispute. TIME called him the "quiet persuader"—an apt description—and commented on his "courtly manner." We use the term "gentleman" frequently here in the Senate, perhaps too frequently sometimes, but Senator COCHRAN truly is a gentleman, and he is a gentle man. He doesn't raise his voice. He doesn't solicit attention to himself. He goes about his work quietly but effectively.



His word is his bond. The Senate is a better place because of his service, and we will miss him. Rather than feel sorrow over his imminent departure, I feel gratitude that we are so fortunate he chose a life of public service and I have had the privilege of serving with him here in the Senate for the past 12 years.

I wish all the best for our dear friend from Mississippi, his wife, Kay, and the rest of his family and thank them for their willingness to share him with us.

Mr. CASEY. Mr. President, I wanted to pay tribute to my colleague THAD COCHRAN as he retires from the Senate after almost 40 years of service.

Former Senator Margaret Chase Smith once said, "Public service must be more than doing a job efficiently and honestly. It must be complete dedication to the people and the nation." Senator THAD COCHRAN brought that dedication to the Senate every day. During his tenure, Senator COCHRAN has served as chairman of the Senate Agriculture Committee and the Senate Appropriations Committee, using those positions to help the people of Mississippi. The Senator's commitment to help alleviate the poverty in the Mississippi delta is well documented.

As Senator COCHRAN ends this chapter of his life, I wish him well and thank him for the decency and courtesy that he consistently brought to the Senate. We are better for it.

#### REMEMBERING LOUISE SLAUGHTER

Mr. CARDIN. Mr. President, I am deeply saddened by the recent death of my friend and colleague, Representative LOUISE SLAUGHTER. We served together in the House of Representatives and on the Helsinki Commission, which monitors human rights commitments across the globe. Her time on the Commission is one of the many examples of her unwavering commitment to justice and human dignity.

Louise first became interested in the Helsinki Commission's work in the early 1990s when she joined congressional efforts to address the mass rape of women and girls as a deliberate and systematic part of the ethnic cleansing campaign in Bosnia and Herzegovina. In her calls for justice, she worked to ensure that rape wouldn't be considered as unfortunate violence incidental to conflict, but as a war crime and crime against humanity to be prosecuted as such. Her commitment to peace, justice, and reconciliation in Bosnia and the Balkans extended well beyond the period of conflict. In 2009, she joined a Helsinki Commission delegation I led to Sarajevo, where she championed the efforts of university students who saw the politics of ethnicity and nationalism—and the corruption it perpetuates—as denying them opportunities for a brighter future in a more prosperous Bosnia. She also worked to ensure those guilty of war crimes in the former Yugoslavia

were prosecuted and to provide humanitarian relief to victims of the conflict.

As part of her efforts to promote human rights around the world, we traveled together on a commission delegation to Greece in 1998 to advance the rights of Roma, Europe's largest ethnic minority population that historically faced persecution, were the victims of genocide during the Second World War, and continue to face disproportionate levels of racism and discrimination to this day.

Few other Members of Congress, House or Senate, matched her ongoing and effective engagement. During her time on the Helsinki Commission, Louise represented the United States at numerous meetings of the Organization for Security and Co-operation in Europe, OSCE, Parliamentary Assembly, an interparliamentary body which has encouraged diplomats to focus on issues of concern and importance to the United States, especially human rights and fundamental freedoms. From 1993 to 2010, she participated in more than a dozen assembly meetings as a member of U.S. delegations, helping to show the depth of our country's commitment to transatlantic relations.

LOUISE was born in Kentucky. Her father was a blacksmith for a coal mine. She had a sister who died of pneumonia as a child, which impelled Louise to pursue degrees in microbiology and public health at the University of Kentucky. She moved to New York to work for Procter & Gamble and was elected to the New York State Assembly in 1982 and then to the U.S. House of Representatives in 1986. We were House freshmen together. She coauthored the Violence Against Women Act—VAWA—secured funding for breast cancer research, and was responsible for establishing an office of research on women's health at the National Institutes of Health, NIH. In 2007, she became the first woman in U.S. history to chair the House Committee on Rules.

LOUISE was legendary in the Rochester area as her constituents know well. Her background as a microbiologist shaped her priorities in securing infrastructure upgrades, research funding for local universities, and bringing two manufacturing institutes to the area. She most recently secured funding for Rochester's new Amtrak station, which is rightfully being renamed in her memory.

LOUISE was universally respected, and it has been an honor to call her a friend and colleague, as well as to have served on the Helsinki Commission with her for two decades. My thoughts and prayers go out to her children and the rest of her family, friends, and constituents during this difficult time. She had an extraordinary life and her myriad accomplishments on behalf of her constituents, other New Yorkers, all Americans, and indeed all of humanity secure her legacy and are a wonderful testament of her commitment to public service.

NATIONAL STOP THE BLEED DAY

Mr. BLUMENTHAL. Mr. President, I would like to take the time to recognize March 31, 2018, as National Stop the Bleed Day. Stop the Bleed is a program offered by the American College of Surgeons to help educate the general public on techniques to assist victims suffering from uncontrolled bleeding using direct pressure, gauze and bandages, and tourniquets. As someone who has personally been trained to "Stop the Bleed," I can attest to its importance and value.

Each year, more than 180,000 people die from traumatic injuries sustained as a result of events including vehicle crashes, falls, industrial and farm accidents, shootings, and natural disasters. The most common preventable cause of these deaths is losing too much blood in the minutes before trained responders arrive. Just like CPR training, a civilian familiar with basic bleeding control techniques is better equipped to save a life. The effort to make this training available to the public is driven by the goal to reduce or eliminate preventable death from bleeding.

I urge my colleagues to join me in recognizing National Stop the Bleed Day so that we may raise awareness and work to end the loss of life from uncontrolled bleeding by getting trained to "Stop the Bleed."

#### WEEK ON THE STATUS OF BLACK WOMEN

Ms. HARRIS. Mr. President, on behalf of myself and Senator Gillibrand, we rise to request that, for the 4th year in a row, the U.S. Government officially recognize the last week in March as the Week on the Status of Black Women. During the week of March 26, 2018, as part of Women's History Month and in honor of the UN International Decade for People of African Descent, several leading social justice organizations will be holding events across the country to honor Black women's momentous contributions to our country and to shed light on the struggles Black women continue to face in American society.

Black women have long gone above and beyond the call of duty in their contributions to American civic society, particularly when it comes to voter turnout and political participation. They have routinely stepped up as leaders and bulwarks in their communities, sacrificing their own health and time for the betterment of others. Even in the face of grave oppression dating back to our Nation's origins, Black women have continued to stand strong and contribute to the well-being of families, communities, the economy, and our country as a whole. A recognition of the Week on the Status of Black Women would send a critical message that the government wishes to elevate Black women's role in history and contemporary society and recognizes the unique struggles they continue to experience today.

Black women have played a critical role in this Nation's history and evolution, often with little thanks or recognition. Harriet Tubman escaped slavery and bravely returned to the enslaved South over a dozen times to herald her people to freedom on the Underground Railroad. She served in the Union army as a spy, a medic, and the first woman ever to lead an armed expedition; yet despite this immense service to our country, we are still debating her recognition on our currency. A century later, Rosa Parks resisted the continued oppression and marginalization of her people. Before she was the face and organizational leader of the Montgomery Bus Boycott, she led campaigns against the sexual harassment and assault of Black women. The Week on the Status of Black Women offers us a chance to honor and uplift the sacrifices of Black women such as Harriet Tubman and Rosa Parks, who gave us so much and received so little in return.

It gives us an opportunity to add new names to celebrate to this list, for contributions that build the future as much as they ground the past. This week of recognition honors so many of whom we are proud, an infinite list at which we can only hint. It includes those hidden figures who did the math to get us to the stars—Katherine Johnson, Dorothy Vaughan, Mary Jackson, and Dr. Christine Darden—and the interstellar figures who have actually been there, like Dr. Mae Jemison, the first African-American woman astronaut to travel in space; those consciousness raisers who provoked thought and progress in a country that needed to catch up with them, like Pauli Murray, who graduated first in her class from Howard Law and offered up the visionary arguments that won *Brown v. Board of Education*, and Chimamanda Ngozi Adichie, who has issued an international invitation to embrace feminism; those courageous testifiers who spoke out with such foresight, from Anita Hill's willingness to speak her own truth to power, to Tarana Burke, whose compassionate decision to say "Me Too" inspired and named a movement that is changing the world; those athletes and artists who inspire us with their unprecedented feats and the lyricism of their movement, from American Ballet Theater's principal dancer Misty Copeland to America's swiftest young icon on ice, Maame Biney; and those who hold and disseminate knowledge, expanding our horizons and our minds, like Monica Drake, who last year became the first African-American woman on the *New York Times*' print masthead, and Carla Hayden, a visionary librarian who is the first woman and first African American to lead the Library of Congress, the largest library in the world.

We celebrate that this momentous week gives us an opportunity to both enrich the historical record, and to enliven our future possibilities. We know

that raising the stories of Black women in every walk of life teaches little girls to see themselves in all their full and powerful potential.

As we anticipate the future, we must also stand to recognize that, while Black women have dedicated themselves to bettering our country, they continue to face countless barriers to full inclusion and equality in American society. Black women are disproportionately subject to compromising health conditions, such as poor-quality environments in impoverished neighborhoods, food deserts, and a lack of access to basic healthcare—conditions that make them more susceptible to life-threatening diseases such as HIV and heart disease and which often make highly treatable illnesses, like breast cancer, lethal. Single Black women's median wealth is just \$100, while single White women have a median wealth of \$41,000; and White households have a median wealth of 13 times more than Black households. Even more alarming, around half of single Black women have zero or negative wealth, meaning their debt equals or exceeds their assets. On average, Black women workers are paid only 67 cents on the dollar relative to White non-Hispanic men, even after controlling for education, years of experience, and location.

Further, while Black women, especially trans Black women, are exceptionally vulnerable to violence, both at the hands of the state and at the hands of intimate partners, often they are not listened to or believed when they speak out. On all these fronts, we can and must do better, and we will.

In conjunction with the congressional declaration, a coalition of organizations advocating for the well-being of women and communities of color will partner to elevate the stories, histories, and realities of Black women's lives through a series of events entitled "Her Dream Deferred". These events will address a number of issues facing Black women today, including maternal mortality, sexual assault and harassment, political participation, and police violence through artistic expression and academic fora.

Exploring these issues and acknowledging the centrality of Black women to our history and social fabric, along with recognizing the uniquely gendered and racialized inequities they face, is critical as we seek to extend equal rights to all Americans. We hope and request that this year will be a continuation of years past in celebration and recognition of Black women through the Week on the Status of Black Women.

Thank you.

#### TRIBUTE TO MARY ANNE SCIUTO

Mr. MARKEY. Mr. President, today, I wish to recognize Mary Anne Sciuto for more than 38 years of service to the Federal Government. As Boston's first full-time congressional liaison, Mary

Anne will retire at the end of March from her post as district congressional lead at U.S. Citizenship and Immigration Services' Boston district office.

Mary Anne's expertise, combined with her eagerness to assist the people of Massachusetts, has been an invaluable resource to me and my staff. Throughout her venerated career, she has assisted countless immigrants and refugees and has made the difference for individuals and families who dream of making the United States their home. Though navigating our Nation's immigration system can be a long and complicated process, Mary Anne is widely known for her patience and compassion. She has continually provided my office with important advice and training to ensure that we best meet the needs of our constituents. While she will be sorely missed, her legacy of helping and mentoring so many during her long career will live on.

My staff and I would like to extend our sincere gratitude to Mary Anne for her years of dedicated service and wish her well as she embarks on this next chapter in her life.

Congratulations, Mary Anne, and thank you for the enormous contributions you have made to the community, the Commonwealth of Massachusetts, and the United States of America.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO J. MICHAEL "MIKE" NUSSMAN

• Mr. CARDIN. Mr. President, I want to take this opportunity to congratulate J. Michael "Mike" Nussman, who is retiring next week from the American Sportfishing Association, ASA, the trade association that represents the recreational fishing industry. Mr. Nussman joined the ASA's government relations team in 1992 and became president and chief executive office of the association in 2001. I am proud to call him a fellow Marylander.

Sportfishing provides outdoor recreation for more than 47 million Americans each year. In Maryland, we are blessed with some of the best fishing opportunities in the Nation. From fishing for striped bass—"rockfish"—on the Chesapeake Bay, to fly fishing for trout on the Gunpowder, to fishing for smallmouth bass on the Potomac, we have great waters and angling throughout our State. Whether casting for yellow perch and pickerel on the Eastern Shore or trolling for tuna and white marlin off Ocean City, fishing in Maryland provides opportunities for young people and families to get into the great outdoors and enjoy our public lands and waters.

Like many other outdoor industries, sport fishing is sometimes overlooked as a significant job generator and economic engine. The U.S. Fish and Wildlife Service estimates that, nationwide,

recreational fishing generates \$48 billion in retail sales, \$115 billion in total economic activity, and 828,000 jobs. In 2016, Congress passed the Outdoor Recreation Jobs and Economic Impact Act. Because of that legislation, in 2018, the U.S. Commerce Department Bureau of Economic Analysis included outdoor recreation's impact, including fishing and boating, in our Nation's gross domestic product, GDP, for the first time.

Possibly the most important aspect of recreational fishing is that sportfishing manufacturers, anglers, and boaters pay for most of State fish and wildlife agencies' fisheries conservation and boating programs. Through special Federal excise and fishing license sales, anglers and boaters are providing more than \$1.2 billion each year in funds that are allocated to the States.

Much of this progress is due to the leadership of Mr. Nussman, who hails from Crownsville, MD. While ASA has been a trade association since 1933, it has really been in the past 25 years—a period that coincides with his tenure—that the organization has assumed more of a leadership role in the angling community.

With the support of ASA, the aforementioned excise taxes have been expanded to cover programs such as wetlands restoration, boating safety and infrastructure, and the establishment of the Recreational Boating & Fishing Foundation, RBFF. In fact, Mike Nussman led the effort to establish RBFF to turn around a decline in recreational fishing participation, which started to appear in the 1990s. The most recent data indicate an upward trend in recreational fishing, including among more diverse and urban communities.

Mr. Nussman's success should come as no surprise. He worked for the Senate Commerce Committee and then Chairman Fritz Hollings of South Carolina. Mr. Nussman was the lead professional staff member for the subcommittee that oversees fisheries policy, the National Ocean and Atmospheric Administration, NOAA, and the U.S. Coast Guard. Prior to that, Mr. Nussman worked for the South Carolina Sea Grant Program, earning undergraduate and graduate degrees in science, and an MBA from the University of South Carolina.

Mr. Nussman's tenure at the ASA also has improved the organization's business operations. The sportfishing industry's annual trade show is now the largest in the world. His leadership has made the organization financially strong, helping it weather economic downturns. He has also served on numerous boards of directors and advisory groups, from the Theodore Roosevelt Conservation Partnership to the Blue Ribbon Panel on Sustaining America's Diverse Fish and Wildlife Resources. He has served as a U.S. Commissioner on the International Commission for the Conservation of Atlantic Tunas.

Trade associations serve a unique role by allowing companies in the same industry to come together to express their views on issues affecting the entire industry. They are an important segment of our U.S. private sector and provide a legal, accepted mechanism to allow small and large companies in an industry to have a common voice when working with the Congress, the Executive, the States, and local governments. When Mr. Nussman joined the ASA, he brought special expertise as a former Senate staffer to the recreational fishing industry and conservation communities. So upon the occasion of his retirement, I think it appropriate that he be recognized and congratulated today for a job well done. Anglers and sportfishing-related businesses in Maryland and across our Nation can be thankful that he has been at the ASA helm.

I wish him all the best as he begins the next chapter in his life which will include, presumably, even more time for fishing.●

#### TRIBUTE TO TONY PRATT

● Mr. CARPER. Mr. President, it is with great pleasure that I rise on behalf of the Delaware delegation to honor the exemplary service of Tony Pratt, administrator of the Shoreline and Waterway Management section within the Delaware Department of Natural Resources and Environmental Control. Tony has devoted his life's work to preserving our coastal communities and documenting its beauty through his talented photography.

Tony, sometimes known affectionately around Delaware as the Sand Man, is an expert on natural coastal infrastructure including beaches, dunes, and wetlands. He has ensured that Delaware has safe, clean, and broad beaches for its nearly 3 million visitors a year to enjoy. As a leader of the American Shore and Beach Preservation Association, he has an understanding of the complexities facing the coastal resources not just in Delaware, but around our great Nation. He is so well respected in his field that, in February 2017, he testified before the U.S. Senate Committee on the Environment and Public Works on the value of beaches, dunes, wetlands, and other natural coastal infrastructure.

Tony has been a key figure in turning around Delaware's beaches from being in a state of chronic erosion in the 1990s, to today serving as a top tourist destination and providing protection during the strongest of storms. These storms have continuously battered the coastline and back bays; however, Delaware coastal communities have fared better than most due to beach renourishment projects and mitigation work in the back bays. Tony has led these efforts not only to try and prepare for the next superstorm, but learn from past storms in order to keep our roads, bridges, homes, businesses, and animal habitats safe from rising waters.

You would be hard pressed to find him behind a desk, especially during a storm. You are more likely to find him standing in the water, investigating the environment, and possibly even taking photos of the beautiful land and sea. He is there for Delaware any time of the day and night, on weekends and holidays. He is personally vested in his work and has somehow maintained that same level of passion for nearly four decades.

On behalf of Delaware Senator CHRIS COONS and our Congresswoman, LISA BLUNT ROCHESTER, I wholeheartedly thank Tony Pratt for his service to Delaware. His model leadership and dedication has served to improve our coastal communities and Delawareans' quality of life. We offer Tony our sincere congratulations on a job well done and wish him well as he embarks on the next chapter of his career.

When people in the Navy accomplish extraordinary things in their lives, we say, "Bravo Zulu!" Today we are in your debt, and we are deeply grateful, as well, to your family for sharing with the people of Delaware and America for all these years a very good man.●

#### REMEMBERING RICHARD E. "DICK" HAINES

● Mr. DAINES. Mr. President, I have the honor of remembering Mr. Richard E. "Dick" Haines as he is laid to rest at the Western Montana State Veterans Cemetery with full military honors on April 6, 2018.

Dick was born in Billings, MT, on September 28, 1936, and spent much of his life in service to our great State. Dick graduated from Montana State University in 1959 with a degree in mechanical engineering, while also completing the Army's ROTC program. After serving in the U.S. Army as an officer teaching marksmanship skills and shooting on Army rifle teams, Dick began his engineering career. In 1962, he was offered an engineering position with the U.S. Forest Service. During his career, he served on the Kootenai, Kaniksu, Clearwater, Deer Lodge, and Siskiyou Forests. His years of public service, however, did not stop there. From 1999 through 2004, Dick served in the Montana State House of Representatives, where he played a key role in the establishment of the Western Montana State Veterans Cemetery. In addition, he served a total of 8 years on the Missoula City Council and served for countless years with many other local organizations.

When Dick wasn't serving his constituents or volunteering, he enjoyed Montana's beautiful outdoor recreational activities, including hunting, fishing, hiking and backpacking. His selfless public service and commitment to volunteering will never be forgotten.●

#### TRIBUTE TO LOYD RENNAKER

● Mr. DAINES. Mr. President, this week I have the honor of recognizing

Darby Superintendent Loyd Rennaker for his 24 years of service to the Darby School District.

After graduating from Darby himself, Loyd furthered his education at the University of Montana Western. With degrees to teach high school math and chemistry, Loyd first taught for 1 year in Malta before returning to Darby. Since then, he has served the school district in a number of roles, including as high school math and science teacher, elementary school principal, high school principal, athletic director, coach, and superintendent.

As superintendent, Loyd helped bring high-speed internet to the town of Darby, providing more opportunity to students and teachers, as well as the whole Darby community.

Loyd Rennaker is a wonderful example of Montana's rich heritage of deep community ties. He has had a great career at Darby schools and has loved teaching and watching students grow into successful citizens. After 25 years of investing in the next generation, Loyd will retire from the Darby School District in June.

Thank you, Loyd, for all your hard work and service.●

#### TRIBUTE TO AIDAN VERESS

● Mr. DAINES. Mr. President, this week I have the honor of recognizing 14-year-old Aidan Veress for winning the Treasure State Spelling Bee for the second year in a row. Aidan is no stranger to success when it comes to spelling. He has competed in spelling bees since the second grade and has won the Park County Spelling Bee 3 years in a row.

When asked about his preparation for success, Aidan talks about his love for reading. Beyond memorization of words, Aidan also studies pronunciation, the definitions, and even the rules for various languages. His advice for younger Montanans who wish to win spelling bees is this: Read often, study by yourself and with friends, properly enunciate, push yourself to grow your vocabulary, and stay calm.

Aidan dreams of going to college 1 day and perhaps even working in a STEM field, but for right now, he is busy reading, hiking, camping, traveling, playing basketball and video games, and making Montana proud. This two-time State champ will represent Montana in the Scripps National Spelling Bee in Washington, DC, this May.

Congratulations, Aidan, you make us Montana proud.●

#### TRIBUTE TO DOROTHY P. CAMPBELL

● Ms. HASSAN. Mr. President, today I wish to recognize and extend my sincerest congratulations and happy birthday wishes to Dorothy P. Campbell, who will celebrate her 100th birthday on March 23, 2018.

Dorothy was born in Langdon, NH, on March 23, 1918, to Frank and Frances

Pelton. On October 4, 1936, Dorothy married Rodney H.J. Campbell, and together, they raised 11 children in the same town where Dorothy was born. Dorothy is extremely proud of her 32 grandchildren, 44 great-grandchildren, and 20 great-great-grandchildren.

Dorothy spent several years as a homemaker before beginning work as a spinner in a local mill. Dorothy also drove a school bus before her retirement. Today Dorothy spends her free time playing cribbage, completing puzzles, reading, and crocheting. In the last 10 years, Dorothy has crocheted nearly 160 blankets for each of her family members and for several charities. As an active member in her community, Dorothy is involved in the Congregational Church, the Langdon Community Club, and the Warren Pond Grange.

I hope you join me, Dorothy's friends and family, and many people in the town of Langdon and across the Granite State in wishing Dorothy Campbell a very happy 100th birthday.●

#### RECOGNIZING COLYER HEREFORDS AND ANGUS

● Mr. RISCH. Mr. President, as you may know, agriculture is vital to the economic success of my home State of Idaho, and ranching in particular has a long and proud history in the State. A rancher myself, I know that operating a ranch and managing land and cattle are challenging propositions that require quite a bit of industriousness and determination. While American ranches are often depicted as those with huge quantities of cattle and vast land holdings, it is important to remember the numerous small, family owned agricultural operations that exist all across our country. These smaller enterprises, like Colyer Herefords and Angus Ranch in Bruneau, are successful in part because they are committed to finding innovative ways to meet specific market demands. It is my pleasure as the chairman of the Senate Committee on Small Business and Entrepreneurship to recognize Colyer Herefords and Angus Ranch as the Senate Small Business of the Month for March 2018 and to highlight the unique story of their family focused small business.

Not only do small businesses like Colyer's make a positive economic impact to State, local, and national economies, but they also contribute to the well-being of our communities. A mainstay in the Bruneau community, the Colyers have been in business for more than 42 years. This family owned business has worked diligently, incorporated new innovations into their business model, and displayed dedication to the quality of their product.

Located just 60 miles southeast of Boise along the beautiful Snake River, Colyer Hereford and Angus Ranch has truly been a family run operation for decades. In 1976, the ranch's founders, Ray and Bonnie Colyer, sold their Bu-

reau of Land Management permit and moved their herd to deeded lands and rented private lands in order to better monitor the health and quality of their cattle. This early commitment to the quality of their purebred bulls and sires has continued and is a key to their success in building a loyal customer base over the years. Innovation has also been a major focus for the Colyer family, passed from generation to generation. For example, in 1993, Ray and Bonnie added an Angus cattle herd to the ranch as a response to commercial customer demand for a breed of cattle uniquely suited to Idaho's environment. Additionally, the ranch has adapted a number of innovative technologies to help select the finest bulls and sires to breed superior cattle for their customers, including ultrasound, artificial insemination, DNA markers, herd management software, and embryo transplants.

Today the ranch is managed by Ray and Bonnie's son and grandson, Guy and Kyle. Kyle and his sister Katie grew up helping out on the family ranch, which fostered their shared love of the industry. The two went on to pursue animal science degrees in college and were active in agriculture activities such as livestock judging and ag student government. Since graduating, both have helped their father, Guy, with the family business. Kyle helps with the day-to-day management of the ranch, while Katie coordinates cattle shows, manages auction broadcasts, and travels to sales across the country. Katie is also a part-time employee of the Idaho Cattlemen's Association and owns her own video production company. The Colyer family and their enterprise have also greatly benefited from the hard work and expertise of longtime employees Adan Juarez and Tony Willis, who have worked on the ranch for over 30 and 15 years, respectively.

Apart from the Colyers' commitment to their product, their commitment to the community is also self-evident. Several members of the family serve as emergency first responders on a volunteer basis in the Bruneau area. Guy is a member of several local and national cattle associations, including the Owyhee County Cattle Association, the Idaho Cattle Association, and the National Cattlemen's Beef Association. He also serves on the board of directors of the American Hereford Association. Guy and his wife, Sherry, have also served as advisers for the American Junior Hereford Association to help mentor the next generation of ranchers.

Colyer Herefords and Angus has been a pillar of Bruneau and surrounding communities for many, many years. This family owned business is a prime example of the American entrepreneurial spirit. Through hard work, a commitment to a quality product, and community service, the ranch has thrived as a small family owned agricultural operation.

I would like to extend my sincerest congratulations to the Colyer family and all of the employees at Colyer Herefords and Angus for being selected as the March 2018 Small Business of the Month. You make our great State of Idaho proud, and I look forward to watching your continued growth and success.●

#### TRIBUTE TO TAMMY FREEMAN

● Mr. RUBIO. Mr. President, today I recognize Tammy Freeman, the Broward County Teacher of the Year from Monarch High School in Coconut Creek, FL.

Tammy received the Teacher of the Year award because of her efforts to challenge and encourage young learners to grow as critical thinkers. She empowers her students by not only instilling skills to help them become successful in life, but also by helping them see how important their own voice truly is. Instead of giving her students the answers, which she believes makes them dependent on her, Tammy instead empowers her students by teaching them the process to discover the answers on their own. According to her, this will help them become better thinkers and learners throughout their lifetime.

Tammy believes a commitment to personalized instruction builds students' confidence in their abilities and a strong foundation for a lifetime of learning. Tammy is dedicated to knowing each of her students and walks into her classroom each day with the desire to inspire her students, the same way she was inspired by her own teachers.

Tammy has been an English teacher at Monarch High School for 10 years and serves as chair of the language arts department. Her passion for her work has earned the respect and admiration of both students and colleagues, and she has shown outstanding ability as both collaborator and leader.

I would like to express my sincere thanks and appreciation to Tammy for all the hard work she has done for her students, and I extend my best wishes on her continued success in the years to come.●

#### TRIBUTE TO LILLIEMARIE GORE

● Mr. RUBIO. Mr. President, today I recognize Lilliemarie Gore, the Alachua County Teacher of the Year from Idylwild Elementary School in Gainesville, FL.

When Lilliemarie was named Teacher of the Year, she thanked two of her own teachers who played important roles in her life, Mrs. Jackson and Mrs. Gloria Jean Merriex. Mrs. Jackson was her third-grade teacher who inspired her to use education as a vehicle to escape the tough Miami neighborhood where she grew up. Mrs. Merriex was a teacher Lilliemarie worked with at Duval Elementary School who was known for using rhymes, music, and other innovative techniques to teach math to students.

While Lilliemarie learned about teaching concepts and theories in college, she said the 4 years of mentoring by Gloria taught her the fundamentals of teaching. Lilliemarie says teaching starts with having a genuine love for students and believes that, when the children know you love them, they are willing to jump through hoops to do whatever needs to be done. She loves her kids with everything she has, and they know she loves them.

Lilliemarie attended the University of Florida and earned degrees in early elementary and special education. She is a fourth-grade teacher at Idylwild Elementary School and has been an Alachua County Public School teacher for 5 years.

I would like to extend my sincere thanks and appreciation to Lilliemarie for all the fine work she has done and wish her continued success in the years to come.●

#### MESSAGES FROM THE HOUSE

At 10:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3731) to provide overtime pay for employees of the United States Secret Service, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5247. An act to authorize the use of eligible investigational drugs by eligible patients who have been diagnosed with a stage of a disease or condition in which there is reasonable likelihood that death will occur within a matter of months, or with another eligible illness, and for other purposes.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

S. 2040. An act to designate the facility of the United States Postal Service located at 621 Kansas Avenue in Atchison, Kansas, as the "Amelia Earhart Post Office Building".

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 11:22 a.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 bill:

H.R. 1865. An act to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr HATCH)

At 2:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the

following bills, in which it requests the concurrence of the Senate:

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. 4467. An act to require the Federal Air Marshal Service to utilize risk-based strategies, and for other purposes.

H.R. 5089. An act to improve threat information sharing, integrated operations, and law enforcement training for transportation security, and for other purposes.

H.R. 5131. An act to improve the effectiveness of Federal efforts to identify and address homeland security risks to surface transportation, secure against vehicle-based attacks, and conduct a feasibility assessment of introducing new security technologies and measures, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 116. Concurrent resolution providing for a correction in the enrollment of H.R. 1625.

The message further announced that the House agreed to the amendment of the Senate to the bill (H.R. 1625) to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

#### ENROLLED BILL SIGNED

At 3:20 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 bill:

H.R. 3731. An act to provide overtime pay for employees of the United States Secret Service, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 3:56 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 4851) to establish the Kennedy-King National Commemorative Site in the State of Indiana, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

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; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4467. An act to require the Federal Air Marshal Service to utilize risk-based strategies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5089. An act to improve threat information sharing, integrated operations, and law enforcement training for transportation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5131. An act to improve the effectiveness of Federal efforts to identify and address homeland security risks to surface transportation, secure against vehicle-based attacks, and conduct a feasibility assessment of introducing new security technologies and measures, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 5247. An act to authorize the use of eligible investigational drugs by eligible patients who have been diagnosed with a stage of a disease or condition in which there is reasonable likelihood that death will occur within a matter of months, or with another eligible illness, and for other purposes.

S. 2629. A bill to improve postal operations, service, and transparency.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 22, 2018, she had presented to the President of the United States the following enrolled bills:

S. 2030. An act to deem the compliance date for amended energy conservation standards for ceiling fan light kits to be January 21, 2020, and for other purposes.

S. 2040. An act to designate the facility of the United States Postal Service located at 621 Kansas Avenue in Atchison, Kansas, as the "Amelia Earhart Post Office Building".

#### 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-4636. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Restructuring of Regulations on the Importation of Plants for Planting" (RIN0579-AD75) received in the Office of the President of the Senate on March 20, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4637. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost (PAUC) for the Littoral Combat Ship (LCS) Mission Modules (MM) Program; to the Committee on Armed Services.

EC-4638. A communication from the Acting Director, Consumer Financial Protection Bureau, transmitting, pursuant to law, the 2018 annual report relative to the Fair Debt Collection Practices Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-4639. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant General Counsel (Treasury)/Chief Counsel, Department of the Treasury, received in the Office of the President of the Senate on March 20, 2018; to the Committee on Finance.

EC-4640. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Report to the Congress: Medicare Payment Policy"; to the Committee on Finance.

EC-4641. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification to Revenue Procedure 2018-4" (Rev. Proc. 2018-19) received in the Office of the President of the Senate on March 20, 2018; to the Committee on Finance.

EC-4642. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Issuance of Opinion and Advisory Letters for Pre-approved Defined Benefit Plans for the Second Six-Year Cycle, Deadline for Employer Adoption of the Pre-approved Plans, and Opening of Determination Letter Program for the Pre-approved Plan Adopters" (Announcement 2018-05) received in the Office of the President of the Senate on March 20, 2018; to the Committee on Finance.

EC-4643. A communication from the United States Trade Representative, Executive Office of the President, transmitting a report relative to the ongoing negotiations in the World Trade Organization (WTO) known as the WTO Environmental Goods Agreement (EGA); to the Committee on Finance.

EC-4644. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Belarus; to the Committee on Finance.

EC-4645. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Turkmenistan; to the Committee on Finance.

EC-4646. 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 2018-0024-2018-0029); to the Committee on Foreign Relations.

EC-4647. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the Benjamin A. Gilman International Scholarship Program for 2016; to the Committee on Foreign Relations.

EC-4648. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the Benjamin A. Gilman International Scholarship Program for 2015; to the Committee on Foreign Relations.

EC-4649. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a waiver of section 1003 of Public Law 100-204 regarding the Palestine Liberation Organization Office; to the Committee on Foreign Relations.

EC-4650. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "United States Participation in the United Nations in 2013"; to the Committee on Foreign Relations.

EC-4651. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the National Credit Union Administration's fiscal year 2017 annual report relative to the Notifica-

tion and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-4652. A communication from the Executive Director, Office of Equal Employment Opportunity, Central Intelligence Agency, transmitting, pursuant to law, the Agency's fiscal year 2014 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 70. A bill to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes (Rept. No. 115-217).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 374. A bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products (Rept. No. 115-218).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Allocation to Subcommittees of Budget Totals for Fiscal Year 2018" (Rept. No. 115-219).

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Res. 426. A resolution supporting the goals of International Women's Day.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 429. A resolution commemorating the 59th anniversary of Tibet's 1959 uprising as "Tibetan Rights Day", and expressing support for the human rights and religious freedom of the Tibetan people and the Tibetan Buddhist faith community.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

H.R. 1660. A bill 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.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Thomas T. Cullen, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years.

Robert K. Hur, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

David C. Joseph, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years.

By Mr. BURR for the Select Committee on Intelligence.

\*Army nomination of Lt. Gen. Paul M. Nakasone, to be General.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to

respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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 Ms. HASSAN (for herself and Mrs. CAPITO):

S. 2589. A bill to amend title V of the Public Health Service Act to establish a grant program to create comprehensive opioid recovery centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DONNELLY (for himself and Mr. GRAHAM):

S. 2590. A bill to authorize previously appropriated resources for communities to address persistent or historical crime through collaborative cross-sector partnerships; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Mr. MENENDEZ, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Mr. UDALL, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BROWN, Ms. CORTEZ MASTO, Mr. HEINRICH, and Mr. SCHATZ):

S. 2591. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mrs. ERNST:

S. 2592. A bill to establish a competitive bidding process for the relocation of the headquarters of Executive agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself, Ms. KLOBUCHAR, Mr. GRAHAM, Ms. HARRIS, Ms. COLLINS, Mr. HEINRICH, Mr. BURR, and Mr. WARNER):

S. 2593. A bill to protect the administration of Federal elections against cybersecurity threats; to the Committee on Rules and Administration.

By Mr. MURPHY:

S. 2594. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion of gain or loss from the sale or exchange of certain brownfield sites from unrelated business taxable income, and to extend expensing of environmental remediation costs; to the Committee on Finance.

By Mr. FLAKE (for himself and Mr. COONS):

S. 2595. A bill to amend the Zimbabwe Democracy and Economic Recovery Act of 2001; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 2596. A bill to amend the Higher Education Act of 1965 to amend the process by which students with certain special circumstances apply for Federal financial aid; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. ISAKSON, Mr. BROWN, Mr. BLUNT, Mr. WHITEHOUSE, Mr. PORTMAN, Ms. WARREN, Mr. ROBERTS, Mr. MURPHY, Mr. CORNYN, Mr. REED, Mr. PERDUE, and Mr. BLUMENTHAL):

S. 2597. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. BOOKER, Ms. HARRIS, Mr. MERKLEY, Ms. WARREN, Mr. BROWN, Mr. BLUMENTHAL, and Ms. BALDWIN):

S. 2598. A bill to establish State-Federal partnerships to provide students the opportunity to attain higher education as in-State public institutions of higher education without debt, to provide Federal Pell Grant eligibility to DREAMer students, to repeal suspension of eligibility under the Higher Education Act of 1965 for drug-related offenses, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH:

S. 2599. A bill to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe; to the Committee on Indian Affairs.

By Mr. PAUL (for himself and Ms. HEITKAMP):

S. 2600. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services; to the Committee on Finance.

By Mr. COONS (for himself and Mr. HATCH):

S. 2601. A bill to amend the Leahy-Smith America Invents Act to extend the period during which the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office may set or adjust certain fees, and for other purposes; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mrs. CAPITO, and Ms. HEITKAMP):

S. 2602. A bill to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Ms. WARREN, and Ms. BALDWIN):

S. 2603. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified conservation contributions which include National Scenic Trails; to the Committee on Finance.

By Mr. CASEY:

S. 2604. A bill to amend the Oil Region National Heritage Area Act to reauthorize the Oil Region National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BALDWIN (for herself, Ms. WARREN, and Mr. SCHATZ):

S. 2605. A bill to prohibit public companies from repurchasing their shares on the open market, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself, Mrs. CAPITO, and Mr. UDALL):

S. 2606. A bill to require the Secretary of Health and Human Services to award grants for training health professionals to treat opioid addiction and other substance use disorders through using technology-enabled models, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. NELSON, and Mr. REED):

S. 2607. A bill to provide family members of an individual who they fear is a danger to himself, herself, or others, or law enforce-

ment, with new tools to prevent gun violence; to the Committee on the Judiciary.

By Ms. WARREN (for herself and Mrs. CAPITO):

S. 2608. A bill to provide that a risk evaluation and mitigation strategy communication plan may include information about Federal and State prescribing requirements for controlled substances; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURPHY (for himself and Mrs. CAPITO):

S. 2609. A bill to amend the Public Health Service Act to provide grants for State alcohol and drug agencies to use recovery coaches in hospital emergency departments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CAPITO (for herself and Mr. MURPHY):

S. 2610. A bill to require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency department discharge, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE:

S. 2611. A bill to amend the Food Security Act of 1985 to repeal the environmental quality incentives program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY:

S. 2612. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself and Mr. BARRASSO):

S. 2613. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Finance.

By Mr. THUNE:

S. 2614. A bill to amend the Food Security Act of 1985 to improve the conservation reserve program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SMITH (for herself and Mr. YOUNG):

S. 2615. A bill to establish an interagency One Health Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 2616. A bill to prioritize education and training for current and future members of the environmental health workforce; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 2617. A bill to recognize the National Aviation Cadet Museum of the United States; to the Committee on Energy and Natural Resources.

By Mr. RUBIO:

S. 2618. A bill to amend subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 in order to ensure that grant activities do not discourage the reporting of violent offenses or interfere with Federal, State, or local law enforcement agencies; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH:

S. 2619. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize energy programs through fiscal year 2023, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PETERS:

S. 2620. A bill to establish a Federal cyber joint duty program for cyber employees of

Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Ms. BALDWIN (for herself, Mrs. MURRAY, Mr. BROWN, Ms. WARREN, Mr. MARKEY, and Mr. SANDERS):

S. 2621. A bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE (for himself, Mrs. SHAHEEN, and Mr. LANKFORD):

S. 2622. A bill to require directors of medical facilities of the Department of Veterans Affairs to submit plans to the Secretary of Veterans Affairs on how to improve such facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COTTON (for himself and Mr. RUBIO):

S. 2623. A bill to require the Secretary of Transportation to modify hours of service requirements to include all fish in the definition of "agricultural commodity", and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself and Mr. LEE):

S. 2624. A bill to amend the Food Security Act of 1985 to make adjustments to the environmental quality incentives program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Ms. HARRIS, and Mr. CORKER):

S. 2625. A bill to amend title 17, United States Code, to provide for the payment of performance royalties to certain producers, mixers, and sound engineers of sound recordings, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. CASSIDY):

S. 2626. A bill to clarify the requirements for receiving certain grants through the National Mental Health and Substance Use Policy Laboratory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Mr. WHITEHOUSE):

S. 2627. A bill to appropriately restrict sales of ammunition; to the Committee on the Judiciary.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 2628. A bill to reaffirm the Mashpee Wampanoag Tribe reservation, and for other purposes; to the Committee on Indian Affairs.

By Mr. CARPER (for himself, Mr. MORAN, Ms. HEITKAMP, and Mrs. MCCASKILL):

S. 2629. A bill to improve postal operations, service, and transparency; read the first time.

By Ms. DUCKWORTH:

S. 2630. A bill to amend section 5707 of title 5, United States Code, to require the General Services Administration to make information regarding travel by the heads of Executive agencies and other individuals in senior positions publicly available; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRAHAM:

S.J. Res. 56. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Payday, Vehicle, Title, and Certain High-Cost Installment Loans"; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself, Mr. TOOMEY, Mr. ENZI, Mr. ROUNDS, Mr. LANKFORD, Mr. KENNEDY, Mr. HATCH, Mr. WICKER, Mr. HOEVEN, Mr. BLUNT, Mr. JOHNSON, Mr. INHOFE, Mr. HELLER, Mr. ISAKSON, Mr. SCOTT, and Mr. BOOZMAN):

S.J. Res. 57. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act"; to the Committee on Banking, Housing, and Urban Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. BENNET, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HARRIS, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mrs. MURRAY, Mr. SANDERS, Mr. SCHUMER, Ms. SMITH, Mr. UDALL, and Ms. WARREN):

S. Res. 441. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. RUBIO, Mr. PORTMAN, and Mrs. SHAHEEN):

S. Res. 442. A resolution expressing solidarity with the United Kingdom after the nerve agent attack in Salisbury; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MURPHY, Mr. REED, Mr. CASEY, Mr. WYDEN, Mr. VAN HOLLEN, Mr. GARDNER, Mr. ENZI, Mr. NELSON, Mr. COONS, Mr. BOOKER, Mr. CARPER, Mr. JOHNSON, Mr. RUBIO, Mr. CARDIN, Mr. DONNELLY, Mr. BENNET, Mrs. SHAHEEN, and Mr. PERDUE):

S. Res. 443. A resolution recognizing the 197th anniversary of the independence of Greece and celebrating democracy in Greece and the United States; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself, Mr. UDALL, Mr. HOEVEN, Ms. HIRONO, Ms. HARRIS, Ms. HEITKAMP, Ms. WARREN, Mr. TESTER, Ms. SMITH, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. SCHATZ, Mr. SCHUMER, Mr. HEINRICH, Mr. DAINES, Mr. LANKFORD, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. WYDEN, Ms. KLOBUCHAR, and Mr. SANDERS):

S. Res. 444. A resolution recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. BLUMENTHAL, Mr. CASEY, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HARRIS, Mr. NELSON, Mr. SCHUMER, Ms. WARREN, Mr. SANDERS, Ms. BALDWIN, and Mr. WYDEN):

S. Res. 445. A resolution marking the 6-month anniversary of the devastation of Puerto Rico and the United States Virgin Islands by Hurricane Maria; considered and agreed to.

By Mr. ISAKSON (for himself, Mr. CASEY, and Ms. HASSAN):

S. Res. 446. A resolution designating March 25, 2018, as "National Cerebral Palsy Awareness Day"; considered and agreed to.

By Mr. CASEY (for himself and Mr. ISAKSON):

S. Res. 447. A resolution designating March 22, 2018, as "National Rehabilitation Coun-

selors Appreciation Day"; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Ms. MURKOWSKI, Ms. COLLINS, Mr. CARPER, Ms. WARREN, Mr. VAN HOLLEN, Mr. REED, Ms. BALDWIN, Mr. KAINE, Mrs. SHAHEEN, Mr. BROWN, Mr. KING, Mr. COONS, Ms. HIRONO, Mrs. ERNST, Mrs. MURRAY, Mr. MARKEY, Mr. BENNET, Ms. DUCKWORTH, Mr. BOOKER, Mr. SANDERS, Ms. HARRIS, Mr. DURBIN, Ms. CORTEZ MASTO, Ms. SMITH, and Ms. CANTWELL):

S. Res. 448. A resolution designating March 2018 as "National Women's History Month"; considered and agreed to.

By Mr. TESTER (for himself, Mr. DAINES, Mr. CARDIN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Ms. HARRIS, Mr. LEAHY, Mr. MERKLEY, Mr. BOOKER, Mr. MARKEY, Mr. ISAKSON, and Ms. WARREN):

S. Res. 449. A resolution designating the first week of April 2018 as "National Asbestos Awareness Week"; considered and agreed to.

By Mr. RUBIO (for himself and Mr. MENENDEZ):

S. Res. 450. A resolution reaffirming the United States-Egypt partnership and the Egyptian people's right to free, fair, credible, and peaceful elections on March 26, 2018; to the Committee on Foreign Relations.

By Ms. DUCKWORTH (for herself and Ms. WARREN):

S. Res. 451. A resolution recognizing the significance of endometriosis as an unmet chronic disease for women and designating March 2018 as "Endometriosis Awareness Month"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 266

At the request of Mr. HATCH, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 281

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 281, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 292

At the request of Mr. REED, the names of the Senator from Idaho (Mr. RISCH), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 356

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 356, a bill to amend title XXI of the Social Security Act to improve access to, and the delivery of, children's



health services through school-based health centers, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 548

At the request of Ms. CANTWELL, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Mr. MARKEY), the Senator from North Dakota (Ms. HEITKAMP), the Senator from Michigan (Ms. STABENOW), the Senator from Maryland (Mr. CARDIN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from California (Mrs. FEINSTEIN), the Senator from Delaware (Mr. COONS), the Senator from Maine (Mr. KING), the Senator from Hawaii (Ms. HIRONO), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Pennsylvania (Mr. CASEY), the Senator from Florida (Mr. NELSON) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 601

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 601, a bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education.

S. 834

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 834, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1022

At the request of Mr. ISAKSON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1022, a bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes.

S. 1112

At the request of Ms. HEITKAMP, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to elimi-

nate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1212

At the request of Mrs. FEINSTEIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1212, a bill to provide family members of an individual who they fear is a danger to himself, herself, or others, and law enforcement, with new tools to prevent gun violence.

S. 1539

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Mr. PETERS) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 1539, a bill to protect victims of stalking from gun violence.

S. 1774

At the request of Mr. HATCH, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1774, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1989

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1989, a bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes.

S. 1996

At the request of Mr. BOOKER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1996, a bill to require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes.

S. 2143

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 2143, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment, to expand coverage under such Act, to provide a process for achieving initial collective bargaining agreements, and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2448

At the request of Mr. KENNEDY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2448, a bill to provide for the issuance of a rule to advance next-generation technologies to provide alternatives to hydrofluorocarbons, and for other purposes.

S. 2463

At the request of Mr. CORKER, the name of the Senator from Georgia (Mr.

PERDUE) was added as a cosponsor of S. 2463, a bill to establish the United States International Development Finance Corporation, and for other purposes.

S. 2495

At the request of Mr. HATCH, the names of the Senator from Colorado (Mr. GARDNER), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 2495, a bill to reauthorize the grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968.

S. 2513

At the request of Mr. ALEXANDER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2513, a bill to improve school safety and mental health services.

S. 2521

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2521, a bill to authorize the issuance of extreme risk protection orders.

S. 2538

At the request of Mr. FLAKE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2538, a bill to prohibit an increase in duties on imports of steel and aluminum.

S. 2543

At the request of Ms. HEITKAMP, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2543, a bill to amend part B of title IV of the Social Security Act to provide grants to develop and enhance, or to evaluate, kinship navigator programs, and for other purposes.

S. 2551

At the request of Mr. COONS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2551, a bill to modernize United States international food assistance programs made available through the Food for Peace Act, and for other purposes.

S. 2574

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2574, a bill to provide rental assistance to low-income tenants of certain multifamily rural housing projects, and for other purposes.

S. 2578

At the request of Mr. SCHATZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2578, a bill to amend title 13, United States Code, to require the Secretary of Commerce to provide advanced notice to Congress before changing any questions on the decennial census, and for other purposes.

S. 2580

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2580, a bill to amend title 13, United States Code, to make clear

that each decennial census, as required for the apportionment of Representatives in Congress among the several States, shall tabulate the total number of persons in each State, and to provide that no information regarding United States citizenship or immigration status may be elicited in any such census.

S. 2582

At the request of Ms. WARREN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2582, a bill to provide health insurance reform, and for other purposes.

S. 2584

At the request of Ms. BALDWIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2584, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. RES. 432

At the request of Mr. JOHNSON, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. Res. 432, a resolution congratulating the Baltic states of Estonia, Latvia, and Lithuania on the 100th anniversary of their declarations of independence.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. VAN HOLLEN):

S. 2596. A bill to amend the Higher Education Act of 1965 to amend the process by which students with certain special circumstances apply for Federal financial aid; to the Committee on Health, Education, Labor, and Pensions.

Mr. CARDIN. Mr. President, I would like to bring the Senate's attention to Free Application for Federal Student Aid (FAFSA) Fairness Act of 2018, the common sense legislation I am introducing with the junior Senator from Maryland today. This legislation seeks to eliminate a barrier that potential college students with difficult personal and financial circumstances face when applying for Federal financial aid.

This body has worked to improve the college application process for students and their families over the last several years and successfully lobbied the Department of Education to allow students and their families to submit their FAFSA application in October and utilize prior-prior year tax data. These changes provide future college students and their families with several months to submit their financial information instead of a short time frame between January and February to meet State and institutional based deadlines for need- and merit-based financial aid programs. These steps have made it easier to students to sit with their families and make informed financial decisions on which college or university will provide the student

with the highest quality yet least expensive college education.

Despite our work, a number of our students are being left behind and cannot take advantage of these changes. Those students, who face difficult personal and financial situations, including those who have left home due to abusive family environments, have parents who are incarcerated, or are unable to locate their parents are unable to fill out the FAFSA application. Rather than fill out one universal Federal financial aid application form, a potential college student must contact each institution they are applying to and undergo a "dependency override" process before a college or university will put together an estimated financial aid package for the student. Under this process, a student applying to one university in my state must submit nine different pieces of financial information, personal statement, and references in order to verify their independent status. These students, often first generation students unfamiliar with the process for applying to school, may give up on the dependency override process and fail to finish the college application process or leave significant Federal financial aid on the table.

The FAFSA Fairness Act would seek to correct this inequity for some of our most vulnerable students. If enacted, my legislation would allow students in these difficult personal and financial circumstances to fill out a FAFSA as a "provisional independent" student that colleges and universities would be able to provide those students with an initial financial aid award package. Once the student has had the opportunity to review the financial aid award packages from the schools they applied to and selected the school of their choice, that school's financial aid administrators will work with the student to complete the "dependency override" process and finalize the student's financial aid award package.

I'm proud to lead the Senate efforts with my seatmate from Maryland and appreciate the work of my colleague from Maryland's 7th Congressional District to lead this effort in the House of Representatives. I urge my colleagues to join in this effort to help students achieve their dream of higher education despite their difficult family and financial circumstances.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S. 2596

*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 "FAFSA Fairness Act of 2018".

#### SEC. 2. CHANGES TO THE FAFSA FOR CERTAIN STUDENTS.

Section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090) is amended—

(1) in subsection (h)(1), by inserting the following before the semicolon: ", including the special circumstances under which a student may qualify for a determination of independence"; and

(2) by adding at the end the following:

"(i) PROVISIONAL INDEPENDENT STUDENTS.—  
"(1) REQUIREMENTS FOR THE SECRETARY.—  
The Secretary shall—

"(A) enable each student who, based on the special circumstance specified in subsection (h)(1), may qualify for an adjustment under section 479A that will result in a determination of independence under such section and section 480(d)(1)(I), to complete the forms developed by the Secretary under subsection (a) as an independent student for the purpose of an initial determination of the student's Federal financial aid award by a financial aid administrator at an institution of higher education to which the student is applying for financial aid, but subject to verification under paragraph (2)(B) for the purpose of the final determination of the award; and

"(B) specify, on the forms, the consequences under section 490(a) of knowingly and willfully completing the forms as an independent student under subparagraph (A) without meeting the special circumstances to qualify for such a determination.

"(2) REQUIREMENTS FOR FINANCIAL AID ADMINISTRATORS.—With respect to a student who completes the forms as an independent student under paragraph (1)(A), a financial aid administrator shall—

"(A) provide an initial determination of the student's Federal financial aid award to the student in the same manner as, and by not later than the date that, the administrator provides other independent students their initial determinations of Federal financial aid awards; and

"(B) in making a final determination of the student's Federal financial aid award, use the discretion provided under sections 479A and 480(d)(1)(I) to verify whether the student meets the special circumstances to qualify as an independent student.

"(3) DEFINITION.—For purposes of this subsection, the term 'other independent students' means students—

"(A) who meet the definition of 'independent' under section 480(d)(1); and

"(B) whose independent status is not subject to verification by a financial aid administrator under paragraph (2)(B)."

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 441—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CESAR ESTRADA CHAVEZ

Mr. MENENDEZ (for himself, Mr. BENNET, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HARRIS, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mrs. MURRAY, Mr. SANDERS, Mr. SCHUMER, Ms. SMITH, Mr. UDALL, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 441

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farm workers laboring in fields and vineyards throughout the Southwest after a bank foreclosure resulted in the loss of the family farm;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an eighth grade education, left school to work full-time as a farm worker to help support his family;

Whereas, at the age of 17, César Estrada Chávez entered the United States Navy and served the United States with distinction for 2 years;

Whereas, in 1948, César Estrada Chávez returned from military service to marry Helen Fabela, whom he had met while working in the vineyards of central California;

Whereas César Estrada Chávez and Helen Fabela had 8 children;

Whereas, as early as 1949, César Estrada Chávez was committed to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, livable housing, and the outlawing of child labor;

Whereas, in 1952, César Estrada Chávez joined the Community Service Organization, a prominent Latino civil rights group, and worked with the organization to coordinate voter registration drives and conduct campaigns against discrimination in east Los Angeles;

Whereas César Estrada Chávez served as the national director of the Community Service Organization;

Whereas, in 1962, César Estrada Chávez left the Community Service Organization to establish the National Farm Workers Association, which eventually became the United Farm Workers of America;

Whereas César Estrada Chávez was a strong believer in the principles of non-violence practiced by Mahatma Gandhi and Dr. Martin Luther King Jr.;

Whereas César Estrada Chávez effectively used peaceful tactics that included fasting for 25 days in 1968, 25 days in 1972, and 38 days in 1988 to call attention to the terrible working and living conditions of farm workers in the United States;

Whereas, through his commitment to non-violence, César Estrada Chávez brought dignity and respect to the organized farm workers and became an inspiration to and a resource for individuals engaged in human rights struggles throughout the world;

Whereas the influence of César Estrada Chávez extends far beyond agriculture and provides inspiration for individuals working to better human rights, empower workers, and advance the American Dream, which includes all individuals of the United States;

Whereas César Estrada Chávez died on April 23, 1993, at the age of 66 in San Luis, Arizona, only miles from his birthplace;

Whereas more than 50,000 people attended the funeral services of César Estrada Chávez in Delano, California;

Whereas César Estrada Chávez was laid to rest at the headquarters of the United Farm Workers of America, known as "Nuestra Señora de La Paz", located in the Tehachapi Mountains in Keene, California;

Whereas, since the death of César Estrada Chávez, schools, parks, streets, libraries, and other public facilities, as well as awards and scholarships, have been named in his honor;

Whereas more than 10 States and dozens of communities across the United States honor the life and legacy of César Estrada Chávez each year on March 31;

Whereas March 31 is recognized as an official State holiday in California, Colorado, and Texas, and there is growing support to designate the birthday of Cesar Estrada Chavez as a national day of service to memorialize his heroism;

Whereas, during his lifetime, César Estrada Chávez was a recipient of the Martin Luther King Jr. Peace Prize;

Whereas, on August 8, 1994, César Estrada Chávez was posthumously awarded the Presidential Medal of Freedom;

Whereas, on October 8, 2012, President Barack Obama authorized the Secretary of the Interior to establish a César Estrada Chávez National Monument in Keene, California;

Whereas President Barack Obama was the last President to honor the life and service of Cesar Estrada Chavez by proclaiming March 31, 2016, to be "Cesar Chavez Day" and by asking all people of the United States to observe March 31 with service, community, and education programs to honor the enduring legacy of Cesar Estrada Chavez; and

Whereas the United States should continue the efforts of César Estrada Chávez to ensure equality, justice, and dignity for all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the accomplishments and example of César Estrada Chávez, a great hero of the United States;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez and to always remember his great rallying cry, "¡Sí, se puede!", which is Spanish for "Yes, we can!".

#### SENATE RESOLUTION 442—EX-PRESSING SOLIDARITY WITH THE UNITED KINGDOM AFTER THE NERVE AGENT ATTACK IN SALISBURY

Mr. COONS (for himself, Mr. RUBIO, Mr. PORTMAN, and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Foreign Relations.:

S. RES. 442

Whereas the United States and the United Kingdom have a special relationship grounded in the rule of law, democratic principles, a common language, and a strong commitment to peace and security;

Whereas, on August 14, 1941, President Franklin Roosevelt and Prime Minister Winston Churchill issued the Atlantic Charter, which defined American and British war aims and laid the foundation for a post-war international system founded on free trade and freedom of the seas that persists to this day;

Whereas, on March 5, 1946, Winston Churchill delivered his "Iron Curtain Speech" in Fulton, Missouri, stating, "Neither the sure prevention of war, nor the continuous rise of world organization will be gained without what I have called the fraternal association of the English-speaking peoples. . . a special relationship between the British Commonwealth and Empire and the United States.;"

Whereas the United States and the United Kingdom have stood side by side through two World Wars, the Korean War, the Cold War, the Gulf War, and the ongoing wars in Iraq and Afghanistan with Americans and Britons fighting and dying together to defend our common interests and principles;

Whereas the United States and the United Kingdom have played central roles in the North Atlantic Treaty Organization (NATO) and are critical to maintaining its future strength;

Whereas, in the 1970s and 1980s, scientists in the Soviet Union developed a group of advanced nerve agents, known as "Novichok", designed to escape detection by international inspectors;

Whereas Russia is party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at

Paris January 13, 1993 (commonly known as the "Chemical Weapons Convention"), which clearly prohibits the production and use of chemical weapons;

Whereas former Russian spy Alexander Litvinenko was killed by a radioactive substance in London in November 2006, and an inquiry by the Government of the United Kingdom found that President of the Russian Federation Vladimir Putin "probably" approved the murder;

Whereas, on March 4, 2018, Sergei Skripal and his daughter, Yulia Skripal, were found unconscious on a park bench in Salisbury, United Kingdom;

Whereas dozens of British civilians and first responders were exposed to the nerve agent, a British police officer who responded to the attack remains seriously ill, and the lives of innocent British citizens and residents of Salisbury have been endangered;

Whereas, on March 12, 2018, Theresa May, Prime Minister of the United Kingdom, in a speech before the House of Commons, noted that the attack was conducted "with a military-grade nerve agent of a type developed by Russia. This is part of a group of nerve agents known as 'Novichok'";

Whereas, on March 12, 2018, Secretary of State Rex Tillerson noted the nerve agent "came from Russia" and "does not exist widely", and that its use would "certainly trigger a response";

Whereas, on March 14, 2018, the United Kingdom expelled 23 Russian diplomats identified as undeclared intelligence officers;

Whereas, on March 14, 2018, United States Ambassador to the United Nations Nikki Haley said the United States "stands in absolute solidarity" with the United Kingdom and that "the United States believes that Russia is responsible for the attack"; and

Whereas, on March 15, 2018, the United States, the United Kingdom, France, and Germany issued a joint statement and noted the incident "constitutes the first offensive use of a nerve agent in Europe since the Second World War" and that "there is no plausible alternative explanation" to Russia's responsibility for the attack: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the special relationship between the United States and the United Kingdom;

(2) expresses its solidarity with the people of Salisbury and the United Kingdom;

(3) reiterates its commitment to collective defense and security through NATO;

(4) wishes for the full recovery of Sergei Skripal, his daughter, and the British police official seriously injured in the attack;

(5) condemns the indiscriminate and reckless assault by the Government of the Russian Federation on United Kingdom sovereignty, and notes that any use of a nerve agent by a state party is a clear contravention of the Chemical Weapons Convention and a violation of international law;

(6) calls on the Government of the Russian Federation to fully and completely answer questions related to the chemical attack and also provide full and comprehensive disclosure of its Novichok program to the Organization for the Prohibition of Chemical Weapons (OPCW); and

(7) urges the President of the United States to personally condemn the attack in clear, unambiguous terms and to take proportionate, measured, and defensive retaliatory actions against the Government of the Russian Federation in coordination with United States allies in Europe.

**SENATE RESOLUTION 443—RECOGNIZING THE 197TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES**

Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. DURBIN, Mr. MURPHY, Mr. REED, Mr. CASEY, Mr. WYDEN, Mr. VAN HOLLEN, Mr. GARDNER, Mr. ENZI, Mr. NELSON, Mr. COONS, Mr. BOOKER, Mr. CARPER, Mr. JOHNSON, Mr. RUBIO, Mr. CARDIN, Mr. DONNELLY, Mr. BENNET, Mrs. SHAHEEN, and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 443

Whereas the people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the founding fathers of the United States, many of whom read Greek political philosophy in the original Greek language, drew heavily on the political experience and philosophy of ancient Greece in forming the representative democracy of the United States;

Whereas Petros Mavromichalis, the former Commander in Chief of Greece and a founder of the modern Greek state, said to the citizens of the United States in 1821, "It is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you.";

Whereas the Greek national anthem, the "Hymn to Liberty", includes the words, "most heartily was gladdened George Washington's brave land";

Whereas the people of the United States generously offered humanitarian assistance to the people of Greece during their struggle for independence;

Whereas Greece heroically resisted Axis forces at a crucial moment in World War II, forcing Adolf Hitler to change his timeline and delaying the attack on Russia;

Whereas Winston Churchill said that "if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been" and "no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks";

Whereas hundreds of thousands of the people of Greece were killed during World War II;

Whereas Greece consistently allied with the United States in major international conflicts throughout the 20th century;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested billions of dollars in the countries of the region and having contributed more than \$750,000,000 in development aid for the region;

Whereas the Government and people of Greece actively participate in peacekeeping and peace-building operations conducted by international organizations, including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat the Government and people of Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim countries and Israel;

Whereas Greece remains an integral part of the European Union;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding, rapprochement, and cooperation in various fields with Turkey, and has also improved its relations with other countries in the region, including Israel, thus enhancing the stability of the wider region;

Whereas the Governments and people of Greece and the United States are at the forefront of efforts to advance freedom, democracy, peace, stability, and human rights;

Whereas those efforts and similar ideals have forged a close bond between the people of Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2018, Greek Independence Day, with the people of Greece and to reaffirm the democratic principles from which those two great countries were founded: Now, therefore, be it

*Resolved*, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 197th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 197 years ago.

**SENATE RESOLUTION 444—RECOGNIZING THE HERITAGE, CULTURE, AND CONTRIBUTIONS OF AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN WOMEN IN THE UNITED STATES**

Ms. MURKOWSKI (for herself, Mr. UDALL, Mr. HOEVEN, Ms. HIRONO, Ms. HARRIS, Ms. HEITKAMP, Ms. WARREN, Mr. TESTER, Ms. SMITH, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. SCHATZ, Mr. SCHUMER, Mr. HEINRICH, Mr. DAINES, Mr. LANKFORD, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. WYDEN, Ms. KLOBUCHAR, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Indian Affairs:

S. RES. 444

Whereas the United States celebrates National Women's History Month every March to recognize and honor the achievements of women throughout the history of the United States;

Whereas an estimated 3,081,000 American Indian, Alaska Native, and Native Hawaiian women live in the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women helped shape the history of their communities, Tribes, and the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women contribute to their communities, Tribes, and the United States through work in many industries, including business, education, science, medicine, literature, fine arts, military service, and public service;

Whereas American Indian, Alaska Native, and Native Hawaiian women have fought to defend and protect the sovereign rights of Native Nations;

Whereas American Indian, Alaska Native, and Native Hawaiian women have demonstrated resilience and courage in the face

of a history of threatened existence, constant removals, and relocations;

Whereas more than 6,000 American Indian, Alaska Native, and Native Hawaiian women bravely serve as members of the United States Armed Forces;

Whereas more than 17,000 American Indian, Alaska Native, and Native Hawaiian women are veterans who have made lasting contributions to the United States military;

Whereas American Indian, Alaska Native, and Native Hawaiian women broke down historical gender barriers to enlistment in the military, including—

(1) Inupiat Eskimo sharpshooter Laura Beltz Wright of the Alaska Territorial Guard during World War II; and

(2) Minnie Spotted Wolf of the Blackfeet Tribe, the first Native American woman to enlist in the United States Marine Corps in 1943;

Whereas American Indian, Alaska Native, and Native Hawaiian women have made the ultimate sacrifice for the United States, including Lori Ann Piestewa, a member of the Hopi Tribe and the first woman in the United States military killed in the Iraq War in 2003;

Whereas American Indian, Alaska Native, and Native Hawaiian women have contributed to the economic development of Native Nations and the United States as a whole, including Elouise Cobell of the Blackfeet Tribe, a recipient of the Presidential Medal of Freedom, who—

(1) served as the treasurer of her Tribe;

(2) founded the first Tribally-owned national bank; and

(3) led the fight against Federal mismanagement of funds held in trust for more than 500,000 Native Americans;

Whereas American Indian, Alaska Native, and Native Hawaiian women own an estimated 154,900 businesses;

Whereas these Native women-owned businesses employ more than 50,000 workers and generate over \$10,000,000,000 in revenues as of 2016;

Whereas American Indian and Alaska Native women have opened an average of more than 17 new businesses each day since 2007;

Whereas American Indian, Alaska Native, and Native Hawaiian women have made significant contributions to the field of medicine, including Susan La Flesche Picotte of the Omaha Tribe, who is widely acknowledged as the first Native American to earn a medical degree;

Whereas American Indian, Alaska Native, and Native Hawaiian women have contributed to important scientific advancements, including—

(1) Floy Agnes Lee of Santa Clara Pueblo, who—

(A) worked on the Manhattan Project during World War II; and

(B) pioneered research on radiation biology and cancer; and

(2) Native Hawaiian Isabella Kauakea Yau Yung Aiona Abbott, who—

(A) was the first woman on the biological sciences faculty at Stanford University; and

(B) was awarded the highest award in marine botany from the National Academy of Sciences, the Gilbert Morgan Smith medal, in 1997;

Whereas American Indian, Alaska Native, and Native Hawaiian women have achieved distinctive honors in the art of dance, including Maria Tall Chief of the Osage Nation the first major prima ballerina of the United States and was a recipient of a Lifetime Achievement Award from the Kennedy Center;

Whereas American Indian, Alaska Native, and Native Hawaiian women have accomplished notable literary achievements, including Northern Paiute author Sarah

Winnemucca Hopkins who wrote and published one of the first Native American autobiographies in United States history in 1883;

Whereas American Indian, Alaska Native, and Native Hawaiian women have regularly led efforts to revitalize and maintain Native cultures and languages, including—

(1) Tewa linguist and teacher Esther Martinez, who developed a Tewa dictionary and was credited with revitalizing the Tewa language; and

(2) Native Hawaiian scholar Mary Kawena Pukui, who published more than 50 academic works and was considered the most noted Hawaiian translator of the 20th century;

Whereas American Indian, Alaska Native, and Native Hawaiian women have excelled in athletic competition and created opportunities for other female athletes within their sport, including Rell Kapoliokaehukai Sunn who—

(1) ranked as longboard surfing champion of the world; and

(2) co-founded the Women's Professional Surfing Association in 1975, the first professional surfing tour for women;

Whereas American Indian, Alaska Native, and Native Hawaiian women have played a vital role in advancing civil rights, protecting human rights, and safeguarding the environment, including Elizabeth Wanamaker Peratrovich of the Tlingit Nation who helped secure the passage of the Anti-Discrimination Act of 1945 of the Alaska Territory, the first anti-discrimination law in the United States;

Whereas American Indian, Alaska Native, and Native Hawaiian women have succeeded as judges, attorneys, and legal advocates, including Eliza "Lyda" Conley, a Wyandot-American lawyer and the first Native woman admitted to argue a case before the United States Supreme Court in 1909;

Whereas American Indian, Alaska Native, and Native Hawaiian women have paved the way for women in the law, including Native Hawaiian Emma Kailikapiolono Metcalf Beckley Nakuina who served as the first female judge in Hawaii;

Whereas American Indian, Alaska Native, and Native Hawaiian women are dedicated public servants, holding important positions in State governments, local governments, the Federal judicial branch, and the Federal executive Branches;

Whereas American Indian and Alaska Native women have served as remarkable Tribal councilwomen, Tribal court judges, and Tribal leaders, including Wilma Mankiller, the first woman elected to serve as Principal Chief of the Cherokee Nation who fought for Tribal self-determination and improvement of the community infrastructure of her Tribe;

Whereas Native Hawaiian women have also led their People through notable acts of public service, including Kaahumanu who was the first Native Hawaiian woman to serve as regent of the Kingdom of Hawaii;

Whereas the United States should continue to invest in the future of American Indian, Alaska Native, and Native Hawaiian women to address the barriers they face, including access to justice, health care, and opportunities for educational and economic advancement; and

Whereas American Indian, Alaska Native, and Native Hawaiian women are the life givers, the culture bearers, and the caretakers of Native peoples who have made precious contributions enriching the lives of all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates and honors the successes of American Indian, Alaska Native, and Native Hawaiian women and the contributions they

have made and continue to make to the United States; and

(2) recognizes the importance of supporting equity, providing safety, and upholding the interests of American Indian, Alaska Native, and Native Hawaiian women.

SENATE RESOLUTION 445—MARKING THE 6-MONTH ANNIVERSARY OF THE DEVASTATION OF PUERTO RICO AND THE UNITED STATES VIRGIN ISLANDS BY HURRICANE MARIA

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. BLUMENTHAL, Mr. CASEY, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HARRIS, Mr. NELSON, Mr. SCHUMER, Ms. WARREN, Mr. SANDERS, Ms. BALDWIN, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 445

Whereas, on September 13, 2017, the National Hurricane Center began tracking a tropical wave that ultimately became Hurricane Maria;

Whereas Hurricane Maria became the tenth most intense Atlantic hurricane on record and the most intense tropical storm of the 2017 season;

Whereas, on September 20, 2017, Hurricane Maria made landfall in Puerto Rico as a Category 4 storm with sustained wind speeds of 155 miles per hour;

Whereas Hurricane Maria hit Puerto Rico and the United States Virgin Islands (referred to in this preamble as the "U.S. Virgin Islands") just 14 days after Puerto Rico and the U.S. Virgin Islands were hit by Hurricane Irma;

Whereas, on March 20, 2018, the people of the United States that live in Puerto Rico and the U.S. Virgin Islands will mark 6 months since Hurricane Maria nearly destroyed Puerto Rico and the U.S. Virgin Islands;

Whereas, 6 months since Hurricane Maria made landfall in Puerto Rico, more than 120,000 people are still without electricity, and hundreds of thousands of people continue to lose power on a temporary basis;

Whereas Puerto Rico remains under a state of emergency and reconstruction efforts are still underway;

Whereas tens of thousands of people in Puerto Rico and the U.S. Virgin Islands are still awaiting permanent shelter;

Whereas more than 67,000 households in Puerto Rico and the U.S. Virgin Islands needed blue roof tarps as a form of temporary roofing for homes;

Whereas Puerto Rico was struggling with a severe debt crisis and a deteriorating health care system prior to Hurricane Maria, the effects of which have exacerbated the suffering in Puerto Rico;

Whereas more than 700,000 cubic yards of debris, or the equivalent of 190 Olympic-sized swimming pools, have been collected in the U.S. Virgin Islands;

Whereas approximately 3,900,000 cubic yards of debris need removal from Puerto Rico;

Whereas, when calculating customer hours of lost electricity service, Puerto Rico is experiencing the longest blackout in the history of the United States;

Whereas thousands of Puerto Ricans have relocated to the mainland of the United States as a result of Hurricane Maria;

Whereas the official death toll from Hurricane Maria stands at 64 victims in Puerto Rico; and

Whereas research suggests that the actual direct and indirect death toll from Hurricane

Maria in Puerto Rico may be more than 1,000 victims: Now, therefore, be it

*Resolved*, That the Senate—

(1) remains profoundly concerned with the continuing crisis plaguing Puerto Rico and the United States Virgin Islands (referred to in this resolving clause as the "U.S. Virgin Islands") as a result of Hurricane Maria; and

(2) pledges continued support to—

(A) the millions of citizens of the United States living in Puerto Rico and the U.S. Virgin Islands; and

(B) to the citizens of the United States who have relocated from Puerto Rico and the U.S. Virgin Islands to the mainland of the United States in the aftermath of Hurricane Maria.

SENATE RESOLUTION 446—DESIGNATING MARCH 25, 2018, AS "NATIONAL CEREBRAL PALSY AWARENESS DAY"

Mr. ISAKSON (for himself, Mr. CASEY, and Ms. HASSAN) submitted the following resolution; which was considered and agreed to:

S. RES. 446

Whereas a group of permanent disorders of the development of movement and posture that are attributed to nonprogressive disturbances that occur in the developing brain is referred to as "cerebral palsy";

Whereas cerebral palsy, the most common motor disability in children, is caused by damage to 1 or more specific areas of the developing brain, which usually occurs during fetal development before, during, or after birth;

Whereas the majority of children who have cerebral palsy are born with cerebral palsy, but cerebral palsy may be undetected for months or years;

Whereas 75 percent of individuals with cerebral palsy also have 1 or more developmental disabilities, including epilepsy, intellectual disability, autism, visual impairment, or blindness;

Whereas, according to information released by the Centers for Disease Control and Prevention—

(1) the prevalence of cerebral palsy is not changing over time; and

(2) an estimated 1 in 323 children has cerebral palsy;

Whereas approximately 764,000 individuals in the United States are affected by cerebral palsy;

Whereas, although there is no cure for cerebral palsy, treatment often improves the capabilities of a child with cerebral palsy;

Whereas scientists and researchers are hopeful for breakthroughs in cerebral palsy research;

Whereas researchers across the United States conduct important research projects involving cerebral palsy; and

Whereas the Senate can raise awareness of cerebral palsy in the public and the medical community: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 25, 2018, as "National Cerebral Palsy Awareness Day";

(2) encourages each individual in the United States to become better informed about and aware of cerebral palsy; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Executive Director of Reaching for the Stars: A Foundation of Hope for Children with Cerebral Palsy.

SENATE RESOLUTION 447—DESIGNATING MARCH 22, 2018, AS “NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY”

Mr. CASEY (for himself and Mr. ISAKSON) submitted the following resolution; which was considered and agreed to:

S. RES. 447

Whereas rehabilitation counselors support individuals with disabilities by—

- (1) conducting assessments;
- (2) providing counseling;
- (3) supporting families; and
- (4) assisting in the development of individualized plans for employment for individuals with disabilities who are in need of rehabilitation;

Whereas the purpose of professional organizations for rehabilitation counseling and education is to promote the improvement of rehabilitation services available to individuals with disabilities through quality education for counselors and rehabilitation research;

Whereas various professional organizations have vigorously advocated for up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education, including—

- (1) the National Rehabilitation Association;
- (2) the Rehabilitation Counselors and Educators Association;
- (3) the National Council on Rehabilitation Education;
- (4) the National Rehabilitation Counseling Association;
- (5) the American Rehabilitation Counseling Association;
- (6) the Commission on Rehabilitation Counselor Certification;
- (7) the Council of State Administrators of Vocational Rehabilitation; and
- (8) the Council on Rehabilitation Education;

Whereas, in March of 1983, the president of the National Council on Rehabilitation Education testified before the Subcommittee on Select Education of the Committee on Education and Labor of the House of Representatives and was instrumental in bringing to the attention of Congress the need for qualified rehabilitation counselors; and

Whereas credentialed rehabilitation counselors provide a higher quality of service to individuals in need of rehabilitation and the development of an accreditation system for rehabilitation counselors supports the continued education of rehabilitation counselors: Now, therefore, be it

*Resolved*, That the Senate—

- (1) designates March 22, 2018, as “National Rehabilitation Counselors Appreciation Day”; and

(2) commends—

(A) rehabilitation counselors for their dedication and hard work in providing counseling to individuals with disabilities who are in need of rehabilitation; and

(B) professional organizations for their efforts in assisting individuals with disabilities who are in need of rehabilitation.

SENATE RESOLUTION 448—DESIGNATING MARCH 2018 AS “NATIONAL WOMEN’S HISTORY MONTH”

Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Ms. MURKOWSKI, Ms. COLLINS, Mr. CARPER, Ms. WARREN, Mr. VAN HOLLEN, Mr. REED, Ms. BALDWIN,

Mr. KAINE, Mrs. SHAHEEN, Mr. BROWN, Mr. KING, Mr. COONS, Ms. HIRONO, Mrs. ERNST, Mrs. MURRAY, Mr. MARKEY, Mr. BENNET, Ms. DUCKWORTH, Mr. BOOKER, Mr. SANDERS, Ms. HARRIS, Mr. DURBIN, Ms. CORTEZ MASTO, Ms. SMITH, and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 448

Whereas National Women’s History Month recognizes and spreads awareness of the importance of women in the history of the United States;

Whereas throughout the history of the United States, whether in the home, their workplace, school, the courts, or in wartime, women have fought for themselves, their families, and all people of the United States;

Whereas, even from the early days of the history of the United States, Abigail Adams urged her husband to “Remember the ladies” when representatives met for the Continental Congress in 1776;

Whereas women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in the United States;

Whereas women led the efforts to secure suffrage and equal opportunity for women, and also served in the abolitionist movement, the emancipation movement, labor movements, civil rights movements, and other causes to create a more fair and just society for all;

Whereas suffragists wrote, marched, were arrested, and ultimately succeeded in achieving the enactment of the 19th Amendment of the Constitution of the United States, section 1 of which provides that “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex”, as well as the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), which extended the protection of the right to vote to women of color and language minorities;

Whereas women have been and continue to step up as leaders in the forefront of social change efforts, business, science, government, math, art, literature, music, film, athletics, and more;

Whereas women now represent approximately half of the workforce of the United States;

Whereas women once were routinely barred from attending medical schools of the United States, but now are enrolling in medical schools of the United States at higher numbers than men;

Whereas women previously were turned away from law school, but now represent approximately half of law students in the United States;

Whereas women have been vital to the mission of the Armed Forces since the American Revolution, serving in volunteer and enlisted positions, with more than 200,000 active-duty servicewomen and 2,000,000 veterans representing every branch of service;

Whereas more than 10,000,000 women own businesses in the United States;

Whereas Jeannette Rankin of Montana was the first woman elected to the House of Representatives in 1916 and Hattie Wyatt Caraway of Arkansas was the first woman elected to the United States Senate in 1932;

Whereas Margaret Chase Smith of Maine was the first woman to serve in both houses of Congress;

Whereas, in the 115th Congress, a record 22 women serve as United States Senators, and 89 women serve in the House of Representatives;

Whereas President Jimmy Carter issued the first Presidential Proclamation designating March 2 through 8, 1980, as “National Women’s History Week”;

Whereas, in 1987, a bipartisan group of Senators introduced the first joint resolution to pass Congress designating “Women’s History Month”;

Whereas President Ronald Reagan issued the first “Women’s History Month” Presidential Proclamation in 1987; and

Whereas, despite the advancements of women in the United States, much remains to be done to ensure that women realize their full potential as equal members of society in the United States: Now, therefore, be it

*Resolved*, That the Senate—

- (1) designates March 2018 as “National Women’s History Month”;

(2) recognizes the celebration of “National Women’s History Month” as a time to reflect on the many notable contributions that women have made to the United States;

(3) urges the people of the United States to observe “National Women’s History Month” with appropriate programs and activities.

Mrs. FEINSTEIN. Mr. President, I rise today in honor of Women’s History Month to reflect on the remarkable contributions women have made to the United States and the challenges we must still face today to ensure women are able to realize their full potential as equal partners in American society.

For over 30 years, we have set aside this month to pay tribute to the amazing women who have fought tirelessly for themselves, their families, and all Americans.

I look back on their courage with great admiration and continue to be inspired by those who blazed the trail for women like me. When I first came to Washington in 1992, they called it the “Year of the Woman,” with four women being elected to the Senate. Today, we have a record 22 women serving in the United States Senate and 89 women serving in the House of Representatives.

Even at record levels, women only account for about 20 percent of the 115th Congress, which falls far short of the 51 percent of our nation’s population that are women.

Still, women have proven themselves as true political forces and I have great hope for the next generations of women who will also lead the way in building a better California and United States.

Women have been and continue to step up as leaders in the forefront of social change efforts, business, science, government, math, art, literature, music, film, athletics, and more.

Today, half of our workforce is made up of women and more than 10 million American businesses are women owned.

Where women were once turned away from attending medical and law schools, enrollment numbers are now almost evenly split between men and women.

Women have risen to the top of Fortune 500 companies and fill the domes of capitols and the halls of universities.

Women now also have a larger role in the U.S. Armed Forces, with more than 200,000 active-duty servicewomen proudly serving and 2 million veterans representing every branch of service.

My utmost respect goes out to these women warriors who selflessly answered the call to duty and served with honor, courage, and distinction.

As a United States Senator proudly representing California, I have seen first-hand some of the millions of outstanding women who achieve greatness.

As we celebrate the stories of American women who defied all odds to accomplish the unprecedented, we must also honor their legacies by continuing to defend the rights they worked so hard to achieve.

We have fought together on so many issues that affect women, families, and all Americans. During this month, I invite all women to pledge to continue this fight together and never relent on these important issues.

Thank you Mr. President and I yield the floor.

**SENATE RESOLUTION 449—DESIGNATING THE FIRST WEEK OF APRIL 2018 AS “NATIONAL ASBESTOS AWARENESS WEEK”**

Mr. TESTER (for himself, Mr. DAINES, Mr. CARDIN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Ms. HARRIS, Mr. LEAHY, Mr. MERKLEY, Mr. BOOKER, Mr. MARKEY, Mr. ISAKSON, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

**S. RES. 449**

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer (such as mesothelioma), asbestosis, and other health problems;

Whereas symptoms of asbestos-related diseases can take between 10 and 50 years to present themselves;

Whereas the projected life expectancy for an individual diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for those diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve the prognoses of those patients;

Whereas while the consumption of asbestos within the United States has been substantially reduced, the United States continues to consume tons of the fibrous mineral each year for use in certain products throughout the United States;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas while exposure to asbestos continues, safety and prevention of asbestos exposure already has significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of those diseases;

Whereas thousands of workers in the United States face significant asbestos exposure, which has been a cause of occupational cancer;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the designation of a “National Asbestos Awareness Week” will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the first week of April 2018 as “National Asbestos Awareness Week”;

(2) urges the Surgeon General of the United States to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

**SENATE RESOLUTION 450—REAFFIRMING THE UNITED STATES-EGYPT PARTNERSHIP AND THE EGYPTIAN PEOPLE’S RIGHT TO FREE, FAIR, CREDIBLE, AND PEACEFUL ELECTIONS ON MARCH 26, 2018**

Mr. RUBIO (for himself and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

**S. RES. 450**

Whereas the Governments of the United States and Egypt have long-shared a strong bilateral working relationship;

Whereas respect for democracy, human rights, and civil liberties are fundamental principles of the United States and critical to our national security objectives;

Whereas the Government and people of Egypt have played a critical role in global and regional politics;

Whereas a strong United States-Egypt partnership is important for the peace, stability, and prosperity of the Middle East;

Whereas the people and Government of the United States have a deep and abiding interest in Egypt’s prosperity, political progress, and long-term stability;

Whereas an inclusive government responsive to the needs of all of its citizens, including religious minorities, is vital for such stability and prosperity;

Whereas international and public confidence in any electoral process is an essential element for advancing inclusive, representative forms of government;

Whereas Egypt will hold a presidential election on March 26, 2018;

Whereas the Department of State’s 2016 Human Rights Report noted that the 2015 parliamentary election raised “concern[s] about restrictions on freedoms of peaceful assembly, association, and expression and their negative effect on the political climate surrounding elections”;

Whereas the same report notes that the 2014 presidential election raised “serious concerns regarding constraints on the freedoms of expression and association and limits on freedom of the press leading up to the election which prevented free political participation and severely compromised the broader electoral environment”;

Whereas the Government of Egypt, through legal action and a highly restrictive new law, has created a hostile environment for nongovernmental organizations (NGOs), which provide essential services to the people of Egypt and for whom peaceful associa-

tion for civic activities is a fundamental right;

Whereas the United States Government reprogrammed and withheld some assistance to Egypt in August 2017 due in part to the inability to certify, as required by Congress, “that Egypt is advancing democracy and human rights”;

Whereas the Department of State, in an August 23, 2017, press briefing, reported that it was “unable to certify that Egypt is advancing democracy and human rights”;

Whereas, in January 2018, Department of State Spokesperson Heather Nauert affirmed that the United States supports “free and fair elections” in Egypt and said, “We support a timely and credible electoral process and believe it needs to include the opportunity for citizens to participate freely in Egyptian elections. We believe that that should include addressing restrictions on freedom of association, peaceful assembly, and also expression.”;

Whereas Secretary of State Rex Tillerson visited Egypt on February 12, 2018, and stated during a joint press availability with Egyptian Foreign Minister Sameh Shoukry, “With the presidential elections planned for the end of March, the United States, as it does in all countries, supports a transparent and credible electoral process, and all citizens being given the right and the opportunity to participate freely and fairly.”;

Whereas President of Egypt Abdel Fattah el-Sisi, in a televised interview on September 16, 2016, with CBS Evening News, said, “We uphold the principles of respecting people, of honoring their rights.”;

Whereas President el-Sisi has asserted his commitment to term limits and free and fair elections over the years, stating in a CNBC interview on November 6, 2017, “There is no president who will sit in the chair without the will of the Egyptian people. . . the one that is in the president’s seat will not be able to stay after the term allowed by the law and the constitution. And what determines this will be the vote of the Egyptian people.”;

Whereas all credible opposition candidates in Egypt’s 2018 presidential election faced pressure, harassment, or arrest and subsequently withdrew their candidacies;

Whereas several prominent Egyptian opposition politicians released a statement on January 28, 2018, calling for Egyptians “to boycott these elections. . . not only for the absence of the idea of electoral competition, but also because [it] is an obvious first step toward changing the Constitution, removing the limit on presidential terms and eliminating all chances of a peaceful transfer of power”;

Whereas, in the same statement, these political figures went on to note that “the security and administrative practices taken by the current system [are intended] to prevent any fair competition in the upcoming elections. . . spreading a climate of security fear, media bias. . . and then with a tight schedule that does not provide a real opportunity for competitors to put themselves and their programs forward”;

Whereas the only current opposition candidate, Mr. Moussa Mostafa Moussa, is from the Al-Ghad party, which has no seats in parliament, and only a few days before declaring his candidacy led a campaign called “We Support” calling for el-Sisi’s reelection: Now, therefore, be it

*Resolved*, That the Senate—

(1) reasserts its commitment to the United States-Egypt partnership and to advancing the common interests of both countries;

(2) recognizes that Egypt faces legitimate security threats and expresses condolences for the loss of life suffered by the Egyptian

people in attacks by violent extremist organizations;

(3) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and the rule of law, including the universal rights of freedom of assembly, freedom of speech, freedom of the press, and freedom of association;

(4) expresses support for human rights, civil liberties, and rule of law in Egypt, and for elections that are free, fair, and credible;

(5) notes that a lack of progress in these areas will undermine Egypt's security and economic stabilization;

(6) supports the people of Egypt, who are entitled to determine their own destiny, including selecting their political leadership through a fair and credible electoral process without fear of or intimidation by their government;

(7) urges the Government of Egypt to take meaningful steps to enable free, fair, credible, and peaceful elections in March 2018 and in the future;

(8) expresses concern regarding the intimidation and detention of credible opposition candidates, as well as the restrictive environment for nongovernmental organizations and media;

(9) calls on the United States Government, foreign governments, and parliaments to speak out in support of the right of the Egyptian people to free, fair, and credible elections; and

(10) encourages the President to appoint an Assistant Secretary of State for Near Eastern Affairs and a United States Ambassador to Egypt to bolster diplomatic engagement with the Government of Egypt, electoral stakeholders, and civil society as well as consistently raise issues of human rights, rule of law, and governance.

**SENATE RESOLUTION 451—RECOGNIZING THE SIGNIFICANCE OF ENDOMETRIOSIS AS AN UNMET CHRONIC DISEASE FOR WOMEN AND DESIGNATING MARCH 2018 AS “ENDOMETRIOSIS AWARENESS MONTH”**

Ms. DUCKWORTH (for herself and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary :

S. RES. 451

Whereas 6,500,000 women in the United States are living with endometriosis;

Whereas endometriosis is a chronic disease affecting 176,000,000 women throughout the world and an estimated 1 in 10 women in the United States ages 18 through 49;

Whereas medical societies and patient groups including the Endometriosis Association, the American College of Obstetricians and Gynecologists, the National Association of Nurse Practitioners in Women's Health, the American Society for Reproductive Medicine, and the American Social Health Association all have expressed the need for greater public attention and updated resources targeted to public education about this unmet health need for women;

Whereas endometriosis occurs when tissue similar to that normally found in the uterus begins to grow outside the uterus;

Whereas, while endometriosis is one of the most common gynecological disorders in the United States, there is a lack of awareness and prioritization of endometriosis as an important health issue for women;

Whereas women can suffer up to 6 to 10 years before properly diagnosed;

Whereas approximately 1/3 to 1/2 of all women with endometriosis will have difficulty getting pregnant;

Whereas endometriosis is a painful and debilitating disorder;

Whereas endometriosis is associated with increased health care costs and poses a substantial burden to patients in the healthcare system;

Whereas the total annual direct health care cost of symptoms associated with endometriosis is \$56,000,000,000, or nearly \$11,000 per patient;

Whereas 51 percent of endometriosis patients report that the disease detrimentally affects their performance of their job;

Whereas the Centers for Disease Control and Prevention found that the average number of “bed days” for patients with endometriosis was 18 days per year;

Whereas women with endometriosis can lose 11 hours per work week through lost productivity;

Whereas, in 2010, endometriosis patients were hospitalized over 100,000 days because of this disease;

Whereas there is a need for more research and updated guidelines to treat endometriosis;

Whereas the research dollars from the National Institutes of Health dedicated to endometriosis has dropped from \$16,000,000 in 2010 to \$7,000,000 in 2018;

Whereas there is an ongoing need for additional clinical research and treatment options to manage this debilitating disease; and

Whereas there is no known cure for endometriosis: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 2018 as “Endometriosis Awareness Month”;

(2) recognizes the importance of endometriosis as a health issue for women that requires far greater attention, public awareness, and education about the disease;

(3) encourages the Secretary of Health and Human Services—

(A) to provide information to women, patients, and health care providers with respect to endometriosis, including available screening tools and treatment options, with a goal of improving the quality of life and health outcomes of women affected by endometriosis;

(B) to conduct additional research on endometriosis and possible clinical options; and

(C) to update information, tools, and studies currently available with respect to helping women live with endometriosis; and

(4) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Health and Human Services.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2215. Mr. CORNYN (for Mr. YOUNG (for himself and Mr. DONNELLY)) proposed an amendment to the bill H.R. 4851, to establish the Kennedy-King National Historic Site in the State of Indiana, and for other purposes.

SA 2216. Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. GRAHAM, Mr. ROUNDS, Ms. MURKOWSKI, Mr. ISAKSON, and Mr. MCCONNELL) submitted an amendment intended to be proposed by her to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; which was ordered to lie on the table.

SA 2217. Mr. MCCONNELL proposed an amendment to the bill H.R. 1625, supra.

SA 2218. Mr. MCCONNELL proposed an amendment to amendment SA 2217 proposed by Mr. MCCONNELL to the bill H.R. 1625, supra.

SA 2219. Mr. MCCONNELL proposed an amendment to the bill H.R. 1625, supra.

SA 2220. Mr. MCCONNELL proposed an amendment to amendment SA 2219 proposed by Mr. MCCONNELL to the bill H.R. 1625, supra.

SA 2221. Mr. MCCONNELL proposed an amendment to amendment SA 2220 proposed by Mr. MCCONNELL to the amendment SA 2219 proposed by Mr. MCCONNELL to the bill H.R. 1625, supra.

SA 2222. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1625, supra; which was ordered to lie on the table.

SA 2223. Mr. MCCONNELL (for Mr. HOEVEN) proposed an amendment to the bill S. 607, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

SA 2224. Mr. MCCONNELL (for Mr. HOEVEN) proposed an amendment to the bill S. 1116, to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities.

SA 2225. Mr. MCCONNELL (for Mr. LANKFORD) proposed an amendment to the bill S. 943, to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

SA 2226. Mr. MCCONNELL (for Mr. RISCH) proposed an amendment to the concurrent resolution H. Con. Res. 116, Official Title Not Available.

**TEXT OF AMENDMENTS**

**SA 2215.** Mr. CORNYN (for Mr. YOUNG (for himself and Mr. DONNELLY)) proposed an amendment to the bill H.R. 4851, to establish the Kennedy-King National Historic Site in the State of Indiana, and for other purposes; as follows:

In section 3, strike subsection (d).

**SA 2216.** Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. GRAHAM, Mr. ROUNDS, Ms. MURKOWSKI, Mr. ISAKSON, and Mr. MCCONNELL) submitted an amendment intended to be proposed by her to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; which was ordered to lie on the table; as follows:

In division H, after section 229, insert the following:

**SEC. 230. WAIVERS FOR STATE INNOVATION; COST-SHARING PAYMENTS.**

(a) WAIVERS FOR STATE INNOVATION.—

(1) STREAMLINING THE STATE APPLICATION PROCESS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(A) in subsection (a)(1)(C), by striking “the law” and inserting “a law or has in effect a certification”; and

(B) in subsection (b)(2)—

(i) in the paragraph heading, by inserting “OR CERTIFY” after “LAW”;

(ii) in subparagraph (A)—

(I) by striking “A law” and inserting the following:



“(i) LAWS.—A law”; and

(II) by adding at the end the following:

“(ii) CERTIFICATIONS.—A certification described in this paragraph is a document, signed by the Governor of the State, that certifies that such Governor has the authority under existing Federal and State law to take action under this section, including implementation of the State plan under subsection (a)(1)(B).”; and

(iii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “OF OPT OUT”; and

(II) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A)(i); or

“(ii) terminating a certification described in subparagraph (A)(ii), through a certification for such termination signed by the Governor of the State.”.

(2) GIVING STATES MORE FUNDING FLEXIBILITY, TO ESTABLISH REINSURANCE, INVISIBLE HIGH RISK POOLS, INSURANCE STABILITY FUNDS AND OTHER PROGRAMS.—

(A) STATE GRANTS UNDER WAIVERS.—Section 1332(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)) is amended—

(i) in paragraph (3)—

(I) in the first sentence—

(aa) by inserting “or would qualify for a reduced portion of” after “would not qualify for”;;

(bb) by inserting “, or the State would not qualify for or would qualify for a reduced portion of basic health program funds under section 1331,” after “subtitle E”;;

(cc) by inserting “, or basic health program funds the State would have received,” after “this title”;; and

(dd) by inserting “or for implementing the basic health program established under section 1331” before the period;

(II) in the second sentence, by inserting before the period “, and with respect to participation in the basic health program and funds provided to such other States under section 1331”; and

(III) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits, reductions, or funds be paid to the State as described in the first sentence.”;

(ii) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(iii) by inserting after paragraph (3) the following:

“(4) FEDERAL FUNDING FOR INVISIBLE HIGH-RISK POOL AND REINSURANCE PROGRAMS.—

“(A) ALLOCATIONS.—Not later than 45 days after the date of enactment of the Department of Health and Human Services Appropriations Act, 2018, the Secretary, in consultation with the National Association of Insurance Commissioners, shall specify an allocation methodology for determining the amount of funds appropriated under section 230(a)(2)(B) of the Department of Health and Human Services Appropriations Act, 2018 for a fiscal year to be allocated for each State for purposes of subparagraph (B) and section 230(a)(2)(C) of the Department of Health and Human Services Appropriations Act, 2018.

“(B) STATE GRANTS.—From amounts appropriated under section 230(a)(2)(B) of the Department of Health and Human Services Appropriations Act, 2018 for a fiscal year, the Secretary shall award grants to States for each of fiscal years 2018 through 2021, in amounts determined in accordance with the allocation methodology under subparagraph (A), for the following purposes:

“(i) For fiscal year 2018, for administrative costs of the State associated with preparing and submitting information described in subsection (a)(1)(B) that includes an invisible high-risk pool or reinsurance program that meets the requirements of subsection (g)(2), or costs associated with the establishment of such invisible high-risk pool or reinsurance program.

“(ii) For each of fiscal years 2019, 2020, and 2021, for the establishment or maintenance of invisible high-risk pools and reinsurance programs that meet the requirements of subsection (g)(2) and for which the State has received a waiver under this section.

“(C) BUDGET NEUTRALITY.—Funds awarded to a State under a grant awarded under subparagraph (B) shall not be taken into account for purposes of determining under paragraph (1) whether the State waiver is budget neutral, or determining under subsection (b)(1) whether the State waiver increases the Federal deficit.”.

(B) APPROPRIATIONS.—

(i) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, to the Secretary of Health and Human Services, for the purposes described in section 1332(a)(4)(B) of the Patient Protection and Affordable Care Act and subparagraph (C), out of any funds in the Treasury not otherwise appropriated—

(I) \$500,000,000 for fiscal year 2018; and

(II) \$10,000,000,000 for each of fiscal years 2019, 2020, and 2021.

(ii) AVAILABLE UNTIL EXPENDED.—Amounts appropriated under this paragraph shall remain available until expended.

(C) DEFAULT FEDERAL SAFEGUARD.—

(i) IN GENERAL.—For purposes of plan year 2019, in the case of a State that does not, by a date specified by the Secretary of Health and Human Services (referred to in this paragraph as the “Secretary”), in consultation with the National Association of Insurance Commissioners, have in effect a waiver under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) that includes an invisible high-risk pool or reinsurance program that meets the requirements of subsection (g)(2) of such section 1332, the Secretary shall, from amounts appropriated under subparagraph (B), use the allocation determined for the State under subsection (a)(4)(B) of such section 1332 for plan year 2019 for the purpose described in clause (ii) for such State.

(ii) REQUIRED USE FOR MARKET STABILIZATION PAYMENTS TO ISSUERS.—The Secretary shall use any allocation for a State made pursuant to clause (i) to provide incentives to appropriate entities to enter into arrangements with the State to help stabilize premiums for health insurance coverage in the individual market in such State by providing payments to such appropriate entities using payment parameters and a methodology determined by the Secretary.

(3) ENSURING PATIENT ACCESS TO MORE FLEXIBLE HEALTH PLANS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking “at least as affordable” and inserting “of comparable affordability, including for low-income individuals, individuals with serious health needs, and other vulnerable populations.”; and

(II) by amending subparagraph (D) to read as follows:

“(D)(i) will not increase the Federal deficit over the term of the waiver; and

“(ii) will not increase the Federal deficit over the term of the 10-year budget plan submitted under subsection (a)(1)(B)(ii).”;

(ii) by redesignating paragraph (2) (as amended by paragraph (1)) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

“(2) BUDGETARY EFFECT.—

“(A) IN GENERAL.—In determining whether a State plan submitted under subsection (a) meets the deficit neutrality requirements of paragraph (1)(D), the Secretary may take into consideration the direct budgetary effect of the provisions of such plan on sources of Federal funding other than the funding described in subsection (a)(3).

“(B) LIMITATION.—A determination made by the Secretary under subparagraph (A)—

“(i) shall not be construed to affect any waiver process or standards or terms and conditions in effect on the date of enactment of the Department of Health and Human Services Appropriations Act, 2018 under title XI, XVIII, XIX, or XXI of the Social Security Act, or any other Federal law relating to the provision of health care items or services; and

“(ii) shall be made without regard to any changes in policy with respect to any waiver process or provision of health care items or services described in clause (i).”; and

(B) in subsection (a)(1)(C), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”.’.

(4) PROVIDING EXPEDITED APPROVAL OF STATE WAIVERS.—Section 1332(d) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(d)) is amended—

(A) in paragraph (1) by striking “180” and inserting “120”; and

(B) by adding at the end the following:

“(3) EXPEDITED DETERMINATION.—

“(A) IN GENERAL.—With respect to any application under subsection (a)(1) submitted on or after the date of enactment of the Department of Health and Human Services Appropriations Act, 2018 or any such application submitted prior to such date of enactment and under review by the Secretary on such date of enactment, the Secretary shall make a determination on such application, using the criteria for approval otherwise applicable under this section, not later than 45 days after the receipt of such application, and shall allow the public notice and comment at the State and Federal levels described under subsection (a)(5) to occur concurrently if such State application—

“(i) is submitted in response to an urgent situation, with respect to areas in the State that the Secretary determines are at risk for excessive premium increases or having no health plans offered in the applicable health insurance market for the current or following plan year;

“(ii) is for a waiver that is the same or substantially similar to a waiver that the Secretary already has approved for another State; or

“(iii) is for a waiver that includes an invisible high-risk pool or reinsurance program described in subparagraph (A), (B), or (D) of subsection (g)(2).

“(B) APPROVAL.—

“(i) URGENT SITUATIONS.—

“(I) PROVISIONAL APPROVAL.—A waiver approved under the expedited determination process under subparagraph (A)(i) shall be in effect for a period of 3 years, unless the State requests a shorter duration.

“(II) FULL APPROVAL.—Subject to the requirements for approval otherwise applicable under this section, not later than 1 year before the expiration of a provisional waiver period described in subclause (I) with respect to an application described in subparagraph (A)(i), the Secretary shall make a determination on whether to extend the approval of such waiver for the full term of the waiver requested by the State, for a total approval

period not to exceed 6 years. The Secretary may request additional information as the Secretary determines appropriate to make such determination.

“(ii) APPROVAL OF SAME OR SIMILAR APPLICATIONS.—An approval of a waiver under subparagraph (A)(ii) shall be subject to the terms of subsection (e).

“(C) GAO STUDY.—Not later than 5 years after the date of enactment of the Department of Health and Human Services Appropriations Act, 2018, the Comptroller General of the United States shall conduct a review of all waivers approved pursuant to subparagraph (A)(ii) to evaluate whether such waivers met the requirements of subsection (b)(1) and whether the applications should have qualified for such expedited process.”.

(5) PROVIDING CERTAINTY FOR STATE-BASED REFORMS.—Section 1332(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(e)) is amended by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 6 years unless the State requests a shorter duration;

“(2) may be renewed, subject to the State meeting the criteria for approval otherwise applicable under this section, for unlimited additional 6-year periods upon application by the State; and

“(3) may not be suspended or terminated, in whole or in part, by the Secretary at any time before the date of expiration of the waiver period (including any renewal period under paragraph (2)), unless the Secretary determines that the State materially failed to comply with the terms and conditions of the waiver.”.

(6) GUIDANCE AND REGULATIONS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(A) by adding at the end the following:

“(f) GUIDANCE AND REGULATIONS.—

“(1) IN GENERAL.—With respect to carrying out this section, the Secretary shall—

“(A) issue guidance, not later than 60 days after the date of enactment of the Department of Health and Human Services Appropriations Act, 2018, that includes initial examples of model State plans that meet the requirements for approval under this section; and

“(B) periodically review the guidance issued under subparagraph (A) and when appropriate, issue additional examples of model State plans that meet the requirements for approval under this section, which may include—

“(i) State plans establishing reinsurance or invisible high-risk pool arrangements for purposes of covering the cost of high-risk individuals;

“(ii) State plans expanding insurer participation, access to affordable health plans, network adequacy, and health plan options over the entire applicable health insurance market in the State;

“(iii) waivers encouraging or requiring health plans in such State to deploy value-based insurance designs which structure enrollee cost-sharing and other health plan design elements to encourage enrollees to consume high-value clinical services;

“(iv) State plans allowing for significant variation in health plan benefit design; or

“(v) any other State plan as the Secretary determines appropriate.

“(2) RESCISSION OF PREVIOUS REGULATIONS AND GUIDANCE.—Beginning on the date of enactment of the Department of Health and Human Services Appropriations Act, 2018, the regulations promulgated, and the guidance issued, under this section prior to the date of enactment of the Department of Health and Human Services Appropriations Act, 2018 shall have no force or effect.”; and

(B) in subsection (a)(5) (as redesignated by paragraph (2)(A)(ii))—

(i) in subparagraph (A), by inserting “, as applicable” before the period; and

(ii) in subparagraph (B), by striking “Not later than 180 days after the date of enactment of this Act, the Secretary shall” and inserting “The Secretary may”.

(7) INVISIBLE HIGH RISK POOLS AND REINSURANCE PROGRAMS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052), as amended by paragraph (6), is further amended by adding at the end the following:

“(g) INVISIBLE HIGH RISK POOLS AND REINSURANCE PROGRAMS.—

“(1) FUNDING.—With respect to a State that has received a waiver under this section to establish an invisible high-risk pool or reinsurance program described in paragraph (2), the State may fund such program, in whole or in part, using one or both of the following:

“(A) Amounts received through a grant described in subsection (a)(4)(B).

“(B) All of, or a portion of, the payments made to the State as described in subsection (a)(3), consistent with the information the State provides under subsection (a)(1)(B).

“(2) PROGRAM DESIGN.—An invisible high-risk pool or reinsurance program described in this paragraph is a program that meets any of the following:

“(A) An invisible high-risk pool, as defined by the State, under which health insurance issuers, with respect to designated individuals who experience higher than average health costs as determined by the State, and are enrolled in health insurance coverage offered in the individual market, cede risk to the pool, without affecting the premium paid by the designated individuals or their terms of coverage. With respect to such pool, the State, or an entity operating the pool on behalf of the State, shall establish—

“(i) the premium amount the ceding issuer shall pay to the reinsurance pool;

“(ii) the applicable attachment points or coinsurance percentages if the ceding issuer retains any portion of the risk under ceded policies; and

“(iii) the mechanism by which high-risk individuals are designated for cession to the pool, which may include a list of designated high-cost health conditions.

“(B) A reinsurance program, as defined by the State, that assumes a portion of the risk for individuals who experience higher than average health costs as determined by the State, in a manner substantially similar to the reinsurance program that operated in the State in accordance with section 1341.

“(C) A reinsurance program established by the State not otherwise described in this paragraph.

“(D) A program based on another State’s reinsurance program—

“(i) described in subparagraph (A), (B), or (C), for which an application has been approved under this subsection; or

“(ii) which was implemented prior to September 1, 2017, and which the Secretary determines meets the requirements of subparagraph (A).”.

(8) APPLICABILITY.—The amendments made by this Act to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052)—

(A) with respect to applications for waivers under such section 1332 submitted after the date of enactment of this Act and applications for such waivers submitted prior to such date of enactment and under review by the Secretary on the date of enactment, shall take effect on the date of enactment of this Act; and

(B) with respect to applications for waivers approved under such section 1332 before the

date of enactment of this Act, shall not require reconsideration of whether such applications meet the requirements of such section 1332, except that, at the request of a State, the Secretary shall recalculate the amount of funding provided under subsection (a)(3) of such section.

(9) CLARIFYING BUDGET NEUTRALITY.—Section 1332(a)(1)(B) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)(1)(B)) is amended—

(A) in clause (i), by inserting “, including, as applicable, a description of the State’s plan to use any amounts awarded to the State under paragraph (4) to support an invisible high-risk pool or reinsurance program consistent with subsection (g) and such information about such program as the Secretary may require” before the semicolon; and

(B) in clause (ii), by inserting “over both the term of the proposed waiver and the term of the 10-year budget plan” after “Government”.

(b) COST-SHARING PAYMENTS.—

(1) IN GENERAL.—There is appropriated to the Secretary of Health and Human Services (referred to in this section as the “Secretary”), out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for payments for cost-sharing reductions, as authorized by section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) for the portion of plan year 2017 that begins on October 1, 2017, and ends on December 31, 2017, and for plan years 2019, 2020, and 2021.

(2) SPECIAL RULES FOR COST-SHARING REDUCTIONS.—

(A) BASIC HEALTH PLAN.—For plan year 2018, there is appropriated to the Secretary, out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for, with respect to States that have in effect a basic health plan on January 1, 2018, the portion of transfers pursuant to section 1331(d) of the Patient Protection and Affordable Care Act (42 U.S.C. 18051(d)) attributable to the cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) that would have been provided for plan year 2018 with respect to eligible individuals enrolled in standard health plans in such States.

(B) HOLD HARMLESS.—

(i) IN GENERAL.—For plan year 2018, there is appropriated to the Secretary, out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for payments for cost-sharing reductions authorized by section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) with respect to qualified health plans described in clause (ii).

(ii) QUALIFIED HEALTH PLANS DESCRIBED.—A qualified health plan described in this clause is a qualified health plan for which the Secretary determines, based on a certification and appropriate documentation from the issuer of such plan and a certification from the applicable State regulator, that the health insurance issuer of such plan has not increased premium rates for plan year 2018 on account of the issuer assuming, or being instructed by applicable State regulators to assume, that the issuer would receive payments under such section 1402.

(C) CLARIFICATION OF OBLIGATIONS.—

(i) NO REQUIREMENTS TO MAKE PAYMENTS.—Notwithstanding any other provision of law, there shall be no obligation under this Act or any other Act, including the Patient Protection and Affordable Care Act (Public Law 111-148), to make payments for cost-sharing reductions under section 1402(c)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(c)(3)) or advance payments for such cost-sharing reductions under section

1412 of the Patient Protection and Affordable Care Act (42 U.S.C. 18082) for plan year 2018, except for such payments for which amounts are appropriated under subparagraphs (A) and (B). Nothing in this clause shall be construed as affecting the requirements under section 1402 of the Patient Protection and Affordable Care Act for issuers to reduce cost-sharing.

(ii) **NO OBLIGATION TO RECONCILE PAYMENTS.**—Notwithstanding any other provision of law, there shall be no obligation under this Act or any other Act, including the Patient Protection and Affordable Care Act (Public Law 111-148), to make payments on or after October 1, 2017, for the purpose of reconciling any cost-sharing reduction payments by the Secretary under section 1402(c)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(c)(3)) made for plan year 2016 or the plan year beginning January 1, 2017, through September 30, 2017.

(D) **TREATMENT OF PREVIOUS PAYMENTS.**—Notwithstanding any other provision of law, payments made for cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) during the period beginning on January 1, 2014, and ending on September 30, 2017, shall be treated in the same manner as a refund due from the credit allowed under section 36B of the Internal Revenue Code of 1986 for the purposes of section 1324 of title 31, United States Code.

(c) **HEALTH BENEFITS COVERAGE.**—Notwithstanding any other provision of law, including any other definition of “health benefits coverage” for purposes of subsection (b) and (c) of section 506, any use made of funds appropriated under subsection (b) starting in plan year 2019, and subsection (a)(2)(B) starting in plan year 2018, and any program, activity, plan, or coverage funded or supported by such funds, shall constitute “health benefits coverage”.

(d) **LIMITATIONS.**—The following shall apply:

(1) Nothing in this section shall be construed to limit the applicability of subsection (a), (b), or (d) of section 507.

(2) For purposes of this section, a health insurance issuer expending State, local, or private funds, shall be treated in the same manner as a managed care provider described in section 507(c).

**SEC. 231. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM COPPER PLAN.**

(a) **IN GENERAL.**—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended—

(1) in paragraph (1)—

(A) by redesignating clauses (i) and (ii) of subparagraph (B) as subparagraphs (A) and (B), respectively, and adjusting the margins accordingly;

(B) by striking “plan year if—” and all that follows through “the plan provides—” and inserting “plan year if the plan provides—”; and

(C) in subparagraph (A), as redesignated by paragraph (1), by striking “clause (ii)” and inserting “subparagraph (B)”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) **RISK POOLS.**—Section 1312(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended by inserting “and including enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

(c) **CONFORMING AMENDMENT.**—Section 1312(d)(3)(C) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(C)) is amended by striking “, except that in the

case of a catastrophic plan described in section 1302(e), a qualified individual may enroll in the plan only if the individual is eligible to enroll in the plan under section 1302(e)(2)”.

(d) **EFFECTIVE DATE.**—The amendments made by subsections (a), (b), and (c) shall apply with respect to plan years beginning on or after January 1, 2019.

**SEC. 232. CONSUMER OUTREACH, EDUCATION, AND ASSISTANCE.**

(a) **OPEN ENROLLMENT REPORTS.**—For plan years 2019 and 2020, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), in coordination with the Secretary of the Treasury and the Secretary of Labor, shall issue biweekly public reports during the annual open enrollment period on the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the number of unique website visits;

(2) the number of individuals who create an account;

(3) the number of calls to the call center;

(4) the average wait time for callers contacting the call center;

(5) the number of individuals who enroll in a qualified health plan; and

(6) the percentage of individuals who enroll in a qualified health plan through each of—

(A) the website;

(B) the call center;

(C) navigators;

(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(b) **OPEN ENROLLMENT AFTER ACTION REPORT.**—For plan years 2019 and 2020, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of eligibility for tax credits, cost-sharing reductions, or other coverage;

(ii) how the Secretary worked with patient navigators to establish such objectives; and

(iii) how the Secretary adjusted such objectives for case complexity and other contextual factors.

(c) **REPORT ON ADVERTISING AND CONSUMER OUTREACH.**—Not later than 3 months after

the completion of the annual open enrollment period for the 2019 plan year, the Secretary shall issue a report on advertising and outreach to consumers for the open enrollment period for the 2019 plan year. Such report shall include a description of—

(1) the division of spending on individual advertising platforms, including television and radio advertisements and digital media, to raise consumer awareness of open enrollment;

(2) the division of spending on individual outreach platforms, including email and text messages, to raise consumer awareness of open enrollment; and

(3) whether the Secretary conducted targeted outreach to specific demographic groups and geographic areas.

(d) **OUTREACH AND ENROLLMENT ACTIVITIES.**—

(1) **OPEN ENROLLMENT.**—Of the amounts collected through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations), the Secretary shall obligate \$105,800,000 for outreach and enrollment activities for each of the open enrollment periods for plan years 2019 and 2020.

(2) **OUTREACH AND ENROLLMENT ACTIVITIES.**—

(A) **IN GENERAL.**—For purposes of this subsection, the term “outreach and enrollment activities” means—

(i) activities to educate consumers about coverage options or to encourage consumers to enroll in or maintain health insurance coverage (excluding allocations to the call center for the Federal Exchange); and

(ii) activities conducted by an in-person consumer assistance program that does not have a conflict of interest and that, among other activities, facilitates enrollment of individuals through the Federal Exchange, and distributes fair and impartial information concerning enrollment through such Exchange and the availability of tax credits and cost-sharing reductions.

(B) **CONNECTION WITH FEDERAL EXCHANGE.**—Activities conducted under this subsection shall be in connection with the operation of the Federal Exchange, to provide special benefits to health insurance issuers participating in the Federal Exchange.

(3) **CONTRACT AUTHORITY.**—The Secretary may contract with a State to conduct outreach and enrollment activities for plan years 2019 and 2020. Any outreach and enrollment activities conducted by a State or other entity at the direction of the State, in accordance with such a contract, shall be treated as Federal activities to provide special benefits to participating health insurance issuers consistent with OMB Circular No. A-25R.

(4) **CLARIFICATIONS.**—

(A) **PRIOR FUNDING.**—Nothing in this subsection should be construed as rescinding or cancelling any funds already obligated on the date of enactment of this Act for outreach and enrollment activities for plan year 2019.

(B) **AVAILABILITY OF FUNDING.**—The Secretary shall ensure that outreach and enrollment activities are conducted in all applicable States, including, as necessary, by providing for such activities through contracts described in paragraph (3).

**SEC. 233. OFFERING HEALTH PLANS IN MORE THAN ONE STATE.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the National Association of Insurance Commissioners, shall issue regulations for the implementation of health care choice compacts established under section 1333 of the Patient Protection and Affordable Care Act

(42 U.S.C. 18053) to allow for the offering of health plans in more than one State.

**SEC. 234. CONSUMER NOTIFICATION.**

In addition to any applicable Federal requirements with respect to short-term limited duration insurance, a State insurance commissioner shall require the issuer of short-term, limited duration insurance approved for sale in the State to display prominently in marketing materials, the contract, and application materials provided in connection with enrollment in such insurance a notice to consumers that includes such information as the State insurance commissioner determines sufficient to inform the individual that coverage and benefits under such insurance differ from coverage and benefits under qualified health plans.

**SA 2217.** Mr. McCONNELL proposed an amendment to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; as follows:

At the end add the following:

“This Act shall take effect 1 day after the date of enactment.”

**SA 2218.** Mr. McCONNELL proposed an amendment to amendment SA 2217 proposed by Mr. McCONNELL to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; as follows:

Strike “1 day” and insert “2 days”

**SA 2219.** Mr. McCONNELL proposed an amendment to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; as follows:

At the end add the following:

“This Act shall take effect 3 days after the date of enactment.”

**SA 2220.** Mr. McCONNELL proposed an amendment to amendment SA 2219 proposed by Mr. McCONNELL to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; as follows:

Strike “3 days” and insert “4 days”

**SA 2221.** Mr. McCONNELL proposed an amendment to amendment SA 2220 proposed by Mr. McCONNELL to the amendment SA 2219 proposed by Mr. McCONNELL to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards

program of the Department of State, and for other purposes; as follows:

Strike “4” and insert “5”

**SA 2222.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 1625, to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION W—BIPARTISAN HEALTH CARE STABILIZATION**

**SECTION 1. SHORT TITLE.**

This division may be cited as the “Bipartisan Health Care Stabilization Act of 2018”.

**SEC. 2. WAIVERS FOR STATE INNOVATION; COST-SHARING PAYMENTS.**

(a) WAIVERS FOR STATE INNOVATION.—

(1) STREAMLINING THE STATE APPLICATION PROCESS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(A) in subsection (a)(1)(C), by striking “the law” and inserting “a law or has in effect a certification”; and

(B) in subsection (b)(2)—

(i) in the paragraph heading, by inserting “OR CERTIFY” after “LAW”;

(ii) in subparagraph (A)—

(I) by striking “A law” and inserting the following:

“(i) LAWS.—A law”; and

(II) by adding at the end the following:

“(i) CERTIFICATIONS.—A certification described in this paragraph is a document, signed by the Governor of the State, that certifies that such Governor has the authority under existing Federal and State law to take action under this section, including implementation of the State plan under subsection (a)(1)(B).”; and

(iii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “OF OPT OUT”; and

(II) by striking “may repeal a law” and all that follows through the period at the end and inserting the following: “may terminate the authority provided under the waiver with respect to the State by—

“(i) repealing a law described in subparagraph (A)(i); or

“(ii) terminating a certification described in subparagraph (A)(ii), through a certification for such termination signed by the Governor of the State.”.

(2) GIVING STATES MORE FUNDING FLEXIBILITY, TO ESTABLISH REINSURANCE, HIGH RISK POOLS, INVISIBLE HIGH RISK POOLS, INSURANCE STABILITY FUNDS AND OTHER PROGRAMS.—

(A) STATE GRANTS UNDER WAIVERS.—Section 1332(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)) is amended—

(i) in paragraph (3)—

(I) in the first sentence—

(aa) by inserting “or would qualify for a reduced portion of” after “would not qualify for”; and

(bb) by inserting “, or the State would not qualify for or would qualify for a reduced portion of basic health program funds under section 1331,” after “subtitle E”;

(cc) by inserting “, or basic health program funds the State would have received,” after “this title”; and

(dd) by inserting “or for implementing the basic health program established under section 1331” before the period;

(II) in the second sentence, by inserting before the period “, and with respect to partici-

pation in the basic health program and funds provided to such other States under section 1331”; and

(III) by adding after the second sentence the following: “A State may request that all of, or any portion of, such aggregate amount of such credits, reductions, or funds be paid to the State as described in the first sentence.”;

(ii) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(iii) by inserting after paragraph (3) the following:

“(4) FEDERAL FUNDING FOR INVISIBLE HIGH-RISK POOL AND REINSURANCE PROGRAMS.—

“(A) ALLOCATIONS.—Not later than 45 days after the date of enactment of the Bipartisan Health Care Stabilization Act of 2018, the Secretary, in consultation with the National Association of Insurance Commissioners, shall specify an allocation methodology for determining the amount of funds appropriated under section 2(a)(2)(B) of the Bipartisan Health Care Stabilization Act of 2018 for a fiscal year to be allocated for each State for purposes of subparagraph (B). Such methodology shall allocate funds in a manner that would yield a similar level of premium reduction in all States if all States applied for and received funding, taking into account market stability and competition in the various States. If not all States apply for and receive funding under subparagraph (B), remaining funds shall be used to carry out section 2(a)(2)(C) of the Bipartisan Health Care Stabilization Act of 2018.

“(B) STATE GRANTS.—From amounts appropriated under section 2(a)(2)(B) of the Bipartisan Health Care Stabilization Act of 2018 for a fiscal year, the Secretary shall award grants to States for each of fiscal years 2018 through 2021, in amounts determined in accordance with the allocation methodology under subparagraph (A), for the following purposes:

“(i) For fiscal year 2018, for administrative costs of the State associated with preparing and submitting information described in subsection (a)(1)(B) that includes an invisible high-risk pool or reinsurance program that meets the requirements of subsection (g)(2), or costs associated with the establishment of such invisible high-risk pool or reinsurance program.

“(ii) For each of fiscal years 2019, 2020, and 2021, for the establishment or maintenance of invisible high-risk pools and reinsurance programs that meet the requirements of subsection (g)(2) and for which the State has received a waiver under this section.

“(C) BUDGET NEUTRALITY.—Funds awarded to a State under a grant awarded under subparagraph (B) shall not be taken into account for purposes of determining under paragraph (1) whether the State waiver is budget neutral, or determining under subsection (b)(1) whether the State waiver increases the Federal deficit.”.

(B) APPROPRIATIONS.—

(i) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, to the Secretary of Health and Human Services, for the purposes described in section 1332(a)(4)(B) of the Patient Protection and Affordable Care Act and subparagraph (C), out of any funds in the Treasury not otherwise appropriated—

(I) \$500,000,000 for fiscal year 2018; and

(II) \$10,000,000,000 for each of fiscal years 2019, 2020, and 2021.

(ii) AVAILABLE UNTIL EXPENDED.—Amounts appropriated under this paragraph shall remain available until expended.

(C) DEFAULT FEDERAL SAFEGUARD.—

(i) IN GENERAL.—For purposes of plan years 2019 through 2021, in the case of a State that

does not, by a date specified by the Secretary of Health and Human Services (referred to in this subparagraph as the “Secretary”), in consultation with the National Association of Insurance Commissioners, have in effect a waiver under section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) that includes an invisible high-risk pool or reinsurance program that meets the requirements of subsection (g)(2) of such section 1332, the Secretary shall, from amounts appropriated under subparagraph (B), use the allocation determined for the State under subsection (a)(4)(B) of such section 1332 for plan years 2019 through 2021 for the purpose described in clause (ii) for such State.

(i) REQUIRED USE FOR MARKET STABILIZATION PAYMENTS TO ISSUERS.—The Secretary shall enter into arrangements with the State or appropriate non-profit entities to help stabilize premiums for health insurance coverage in the individual market, by providing payments to insurers with respect to enrollees whose claims exceed a dollar amount established by the Secretary, in an amount equal to 80 percent of the amount of such claims.

(3) ENSURING PATIENT ACCESS TO MORE FLEXIBLE HEALTH PLANS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking “at least as affordable” and inserting “of comparable affordability, including for low-income individuals, individuals with serious health needs, and other vulnerable populations.”; and

(II) by amending subparagraph (D) to read as follows:

“(D)(i) will not increase the Federal deficit over the term of the waiver; and

“(ii) will not increase the Federal deficit over the term of the 10-year budget plan submitted under subsection (a)(1)(B)(ii).”;

(ii) by redesignating paragraph (2) (as amended by paragraph (1)) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

“(2) BUDGETARY EFFECT.—

“(A) IN GENERAL.—In determining whether a State plan submitted under subsection (a) meets the deficit neutrality requirements of paragraph (1)(D), the Secretary may take into consideration the direct budgetary effect of the provisions of such plan on sources of Federal funding other than the funding described in subsection (a)(3).

“(B) LIMITATION.—A determination made by the Secretary under subparagraph (A)—

“(i) shall not be construed to affect any waiver process or standards or terms and conditions in effect on the date of enactment of the Bipartisan Health Care Stabilization Act of 2018 under title XI, XVIII, XIX, or XXI of the Social Security Act, or any other Federal law relating to the provision of health care items or services; and

“(ii) shall be made without regard to any changes in policy with respect to any waiver process or provision of health care items or services described in clause (i).”;

(B) in subsection (a)(1)(C), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”.

(4) PROVIDING EXPEDITED APPROVAL OF STATE WAIVERS.—Section 1332(d) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(d)) is amended—

(A) in paragraph (1) by striking “180” and inserting “120”; and

(B) by adding at the end the following:

“(3) EXPEDITED DETERMINATION.—

“(A) IN GENERAL.—With respect to any application under subsection (a)(1) submitted

on or after the date of enactment of the Bipartisan Health Care Stabilization Act of 2018 or any such application submitted prior to such date of enactment and under review by the Secretary on such date of enactment, the Secretary shall make a determination on such application, using the criteria for approval otherwise applicable under this section, not later than 45 days after the receipt of such application, and shall allow the public notice and comment at the State and Federal levels described under subsection (a)(5) to occur concurrently if such State application—

“(i) is submitted in response to an urgent situation, with respect to areas in the State that the Secretary determines are at risk for excessive premium increases or having no health plans offered in the applicable health insurance market for the current or following plan year; or

“(ii) is for a waiver that is the same or substantially similar to a waiver that the Secretary already has approved for another State.

“(B) APPROVAL.—

“(i) URGENT SITUATIONS.—

“(I) PROVISIONAL APPROVAL.—A waiver approved under the expedited determination process under subparagraph (A)(i) shall be in effect for a period of 3 years, unless the State requests a shorter duration.

“(II) FULL APPROVAL.—Subject to the requirements for approval otherwise applicable under this section, not later than 1 year before the expiration of a provisional waiver period described in subclause (I) with respect to an application described in subparagraph (A)(i), the Secretary shall make a determination on whether to extend the approval of such waiver for the full term of the waiver requested by the State, for a total approval period not to exceed 6 years. The Secretary may request additional information as the Secretary determines appropriate to make such determination.

“(ii) APPROVAL OF SAME OR SIMILAR APPLICATIONS.—An approval of a waiver under subparagraph (A)(ii) shall be subject to the terms of subsection (e).

“(C) GAO STUDY.—Not later than 5 years after the date of enactment of the Bipartisan Health Care Stabilization Act of 2018, the Comptroller General of the United States shall conduct a review of all waivers approved pursuant to subparagraph (A)(ii) to evaluate whether such waivers met the requirements of subsection (b)(1) and whether the applications should have qualified for such expedited process.”.

(5) PROVIDING CERTAINTY FOR STATE-BASED REFORMS.—Section 1332(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(e)) is amended by striking “No waiver” and all that follows through the period at the end and inserting the following: “A waiver under this section—

“(1) shall be in effect for a period of 6 years unless the State requests a shorter duration;

“(2) may be renewed, subject to the State meeting the criteria for approval otherwise applicable under this section, for unlimited additional 6-year periods upon application by the State; and

“(3) may not be suspended or terminated, in whole or in part, by the Secretary at any time before the date of expiration of the waiver period (including any renewal period under paragraph (2)), unless the Secretary determines that the State materially failed to comply with the terms and conditions of the waiver.”.

(6) GUIDANCE AND REGULATIONS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052) is amended—

(A) by adding at the end the following:

“(f) GUIDANCE AND REGULATIONS.—

“(1) IN GENERAL.—With respect to carrying out this section, the Secretary shall—

“(A) issue guidance, not later than 60 days after the date of enactment of the Bipartisan Health Care Stabilization Act of 2018, that includes initial examples of model State plans that meet the requirements for approval under this section; and

“(B) periodically review the guidance issued under subparagraph (A) and when appropriate, issue additional examples of model State plans that meet the requirements for approval under this section, which may include—

“(i) State plans establishing reinsurance or invisible high-risk pool arrangements for purposes of covering the cost of high-risk individuals;

“(ii) State plans expanding insurer participation, access to affordable health plans, network adequacy, and health plan options over the entire applicable health insurance market in the State;

“(iii) waivers encouraging or requiring health plans in such State to deploy value-based insurance designs which structure enrollee cost-sharing and other health plan design elements to encourage enrollees to consume high-value clinical services;

“(iv) State plans allowing for significant variation in health plan benefit design; or

“(v) any other State plan as the Secretary determines appropriate.

“(2) RESCISSION OF PREVIOUS REGULATIONS AND GUIDANCE.—Beginning on the date of enactment of the Bipartisan Health Care Stabilization Act of 2018, the regulations promulgated, and the guidance issued, under this section prior to the date of enactment of the Bipartisan Health Care Stabilization Act of 2018 shall have no force or effect.”; and

(B) in subsection (a)(5) (as redesignated by paragraph (2)(A)(ii))—

(i) in subparagraph (A), by inserting “, as applicable” before the period; and

(ii) in subparagraph (B), by striking “Not later than 180 days after the date of enactment of this Act, the Secretary shall” and inserting “The Secretary may”.

(7) INVISIBLE HIGH RISK POOLS AND REINSURANCE PROGRAMS.—Section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052), as amended by paragraph (6), is further amended by adding at the end the following:

“(g) INVISIBLE HIGH RISK POOLS AND REINSURANCE PROGRAMS.—

“(1) FUNDING.—With respect to a State that has received a waiver under this section to establish an invisible high-risk pool or reinsurance program described in paragraph (2), the State may fund such program, in whole or in part, using one or both of the following:

“(A) Amounts received through a grant described in subsection (a)(4)(B).

“(B) All of, or a portion of, the payments made to the State as described in subsection (a)(3), consistent with the information the State provides under subsection (a)(1)(B).

“(2) PROGRAM DESIGN.—An invisible high-risk pool or reinsurance program described in this paragraph is a program that meets any of the following:

“(A) An invisible high-risk pool, as defined by the State, under which health insurance issuers, with respect to designated individuals who experience higher than average health costs as determined by the State, and are enrolled in health insurance coverage offered in the individual market, cede risk to the pool, without affecting the premium paid by the designated individuals or their terms of coverage. With respect to such pool, the State, or an entity operating the pool on behalf of the State, shall establish—

“(i) the premium amount the ceding issuer shall pay to the reinsurance pool;

“(ii) the applicable attachment points or coinsurance percentages if the ceding issuer retains any portion of the risk under ceded policies; and

“(iii) the mechanism by which high-risk individuals are designated for cession to the pool, which may include a list of designated high-cost health conditions.

“(B) A reinsurance program, as defined by the State, that assumes a portion of the risk for individuals who experience higher than average health costs as determined by the State, in a manner substantially similar to the reinsurance program that operated in the State in accordance with section 1341.

“(C) A reinsurance program established by the State not otherwise described in this paragraph.

“(D) A program based on another State’s reinsurance program—

“(i) described in subparagraph (A), (B), or (C), for which an application has been approved under this subsection; or

“(ii) which was implemented prior to the date of enactment of the Bipartisan Health Care Stabilization Act of 2018, and which the Secretary determines meets the requirements of subparagraph (A).

“(3) SINGLE RISK POOL.—An invisible high-risk pool or reinsurance program established in accordance with this subsection shall not be considered a separate risk pool for purposes of section 1312(c).”

(8) APPLICABILITY.—The amendments made by this Act to section 1332 of the Patient Protection and Affordable Care Act (42 U.S.C. 18052)—

(A) with respect to applications for waivers under such section 1332 submitted after the date of enactment of this Act and applications for such waivers submitted prior to such date of enactment and under review by the Secretary on the date of enactment, shall take effect on the date of enactment of this Act; and

(B) with respect to applications for waivers approved under such section 1332 before the date of enactment of this Act, shall not require reconsideration of whether such applications meet the requirements of such section 1332, except that, at the request of a State, the Secretary shall recalculate the amount of funding provided under subsection (a)(3) of such section.

(9) CLARIFYING BUDGET NEUTRALITY.—Section 1332(a)(1)(B) of the Patient Protection and Affordable Care Act (42 U.S.C. 18052(a)(1)(B)) is amended—

(A) in clause (i), by inserting “, including, as applicable, a description of the State’s plan to use any amounts awarded to the State under paragraph (4) to support an invisible high-risk pool or reinsurance program consistent with subsection (g) and such information about such program as the Secretary may require” before the semicolon; and

(B) in clause (ii), by inserting “over both the term of the proposed waiver and the term of the 10-year budget plan” after “Government”.

(b) COST-SHARING PAYMENTS.—

(1) IN GENERAL.—There is appropriated to the Secretary of Health and Human Services (referred to in this section as the “Secretary”), out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for payments for cost-sharing reductions, as authorized by section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) for plan years 2017, 2019, 2020, and 2021.

(2) SPECIAL RULES FOR COST-SHARING REDUCTIONS.—

(A) BASIC HEALTH PLAN.—For plan year 2018, there is appropriated to the Secretary, out of any funds in the Treasury not otherwise obligated, such sums as may be nec-

essary for, with respect to States that have in effect a basic health plan on January 1, 2018, the portion of transfers pursuant to section 1331(d) of the Patient Protection and Affordable Care Act (42 U.S.C. 18051(d)) attributable to the cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) that would have been provided for plan year 2018 with respect to eligible individuals enrolled in standard health plans in such States.

(B) HOLD HARMLESS.—

(i) IN GENERAL.—For plan year 2018, there is appropriated to the Secretary, out of any funds in the Treasury not otherwise obligated, such sums as may be necessary for payments for cost-sharing reductions authorized by section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) with respect to specified qualified health plans described in clause (ii).

(ii) SPECIFIED QUALIFIED HEALTH PLANS DESCRIBED.—A specified qualified health plan described in this clause is a qualified health plan—

(I) offered in a State that—

(aa) prohibited increasing premium rates to account for non-payment of cost-sharing reductions under section 1402 of the Patient Protection and Affordable Care Act; or

(bb) did not provide guidance on whether to increase premiums to account for non-payment of cost-sharing reduction under such section 1402; and

(II) for which the Secretary determines, based on a certification and appropriate documentation from the issuer of such plan and a certification from the applicable State regulator, that the health insurance issuer of such plan has not increased premium rates for plan year 2018 on account of the issuer assuming, or being instructed by applicable State regulators to assume, that the issuer would receive payments under such section 1402.

(3) PROTECTING CONSUMERS FROM INCREASED OUT-OF-POCKET COSTS.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is amended by adding at the end, the following:

“(g) ADDITIONAL REDUCTION.—

“(1) REDUCTION FOR LOW INCOME INSUREDS.—For plan years 2019 through 2021, in addition to the cost-sharing reductions under subsection (c), the Secretary shall establish procedures under which the issuer of a qualified health plan to which this section applies shall further reduce cost-sharing under the plan in a manner sufficient to—

“(A) in the case of an eligible insured whose household income is not less than 150 percent but not more than 250 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 87 percent of such costs; and

“(B) in the case of an eligible insured whose household income is not less than 250 percent but not more than 400 percent of the poverty line for a family of the size involved, increase the plan’s share of the total allowed costs of benefits provided under the plan to 80 percent of such costs.”

“(2) CONFORMING AMENDMENT.—For plan years 2019 through 2021, in addition to the coordination with actuarial value limits under subsection (c)(1)(B), the Secretary shall ensure that the reductions under subsection (c)(1) do not result in an increase in the plan’s share of the total allowed costs of benefits provided under the plan above—

“(A) 87 percent, in the case of an eligible insured described in paragraph (1)(A); and

“(B) 80 percent, in the case of an eligible insured described in paragraph (1)(B).”

### SEC. 3. ALLOWING ALL INDIVIDUALS PURCHASING HEALTH INSURANCE IN THE INDIVIDUAL MARKET THE OPTION TO PURCHASE A LOWER PREMIUM COPPER PLAN.

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended—

(1) in paragraph (1)—

(A) by redesignating clauses (i) and (ii) of subparagraph (B) as subparagraphs (A) and (B), respectively, and adjusting the margins accordingly;

(B) by striking “plan year if—” and all that follows through “the plan provides—” and inserting “plan year if the plan provides—”; and

(C) in subparagraph (A), as redesignated by paragraph (1), by striking “clause (ii)” and inserting “subparagraph (B)”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) RISK POOLS.—Section 1312(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(c)) is amended by inserting “and including enrollees in catastrophic plans described in section 1302(e)” after “Exchange”.

(c) CONFORMING AMENDMENT.—Section 1312(d)(3)(C) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(C)) is amended by striking “, except that in the case of a catastrophic plan described in section 1302(e), a qualified individual may enroll in the plan only if the individual is eligible to enroll in the plan under section 1302(e)(2)”.

(d) EFFECTIVE DATE.—The amendments made by subsections (a), (b), and (c) shall apply with respect to plan years beginning on or after January 1, 2019.

### SEC. 4. CONSUMER OUTREACH, EDUCATION, AND ASSISTANCE.

(a) OPEN ENROLLMENT REPORTS.—For plan years 2019 through 2021, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), in coordination with the Secretary of the Treasury and the Secretary of Labor, shall issue biweekly public reports during the annual open enrollment period on the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the number of unique website visits;

(2) the number of individuals who create an account;

(3) the number of calls to the call center;

(4) the average wait time for callers contacting the call center;

(5) the number of individuals who enroll in a qualified health plan; and

(6) the percentage of individuals who enroll in a qualified health plan through each of—

(A) the website;

(B) the call center;

(C) navigators;

(D) agents and brokers;

(E) the enrollment assistant program;

(F) directly from issuers or web brokers; and

(G) other means.

(b) OPEN ENROLLMENT AFTER ACTION REPORT.—For plan years 2019 through 2021, the Secretary, in coordination with the Secretary of the Treasury and the Secretary of Labor, shall publish an after action report not later than 3 months after the completion of the annual open enrollment period regarding the performance of the Federal Exchange and the Small Business Health Options Program (SHOP) Marketplace for the applicable plan year. Each such report shall include a summary, including information on a State-by-State basis where available, of—

(1) the open enrollment data reported under subsection (a) for the entirety of the enrollment period; and

(2) activities related to patient navigators described in section 1311(i) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(i)), including—

(A) the performance objectives established by the Secretary for such patient navigators;

(B) the number of consumers enrolled by such a patient navigator;

(C) an assessment of how such patient navigators have met established performance metrics, including a detailed list of all patient navigators, funding received by patient navigators, and whether established performance objectives of patient navigators were met; and

(D) with respect to the performance objectives described in subparagraph (A)—

(i) whether such objectives assess the full scope of patient navigator responsibilities, including general education, plan selection, and determination of eligibility for tax credits, cost-sharing reductions, or other coverage;

(ii) how the Secretary worked with patient navigators to establish such objectives; and

(iii) how the Secretary adjusted such objectives for case complexity and other contextual factors.

(C) REPORT ON ADVERTISING AND CONSUMER OUTREACH.—Not later than 3 months after the completion of the annual open enrollment period for the 2019 plan year, the Secretary shall issue a report on advertising and outreach to consumers for the open enrollment period for the 2019 plan year. Such report shall include a description of—

(1) the division of spending on individual advertising platforms, including television and radio advertisements and digital media, to raise consumer awareness of open enrollment;

(2) the division of spending on individual outreach platforms, including email and text messages, to raise consumer awareness of open enrollment; and

(3) whether the Secretary conducted targeted outreach to specific demographic groups and geographic areas.

(D) OUTREACH AND ENROLLMENT ACTIVITIES.—

(1) OPEN ENROLLMENT.—Of the amounts collected through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations), the Secretary shall obligate \$105,800,000 for outreach and enrollment activities for each of the open enrollment periods for plan years 2019 through 2021.

(2) OUTREACH AND ENROLLMENT ACTIVITIES.—

(A) IN GENERAL.—For purposes of this subsection, the term “outreach and enrollment activities” means—

(i) activities to educate consumers about coverage options or to encourage consumers to enroll in or maintain health insurance coverage (excluding allocations to the call center for the Federal Exchange); and

(ii) activities conducted by an in-person consumer assistance program that does not have a conflict of interest and that, among other activities, facilitates enrollment of individuals through the Federal Exchange, and distributes fair and impartial information concerning enrollment through such Exchange and the availability of tax credits and cost-sharing reductions.

(B) CONNECTION WITH FEDERAL EXCHANGE.—Activities conducted under this subsection shall be in connection with the operation of the Federal Exchange, to provide special benefits to health insurance issuers participating in the Federal Exchange.

(3) CONTRACT AUTHORITY.—The Secretary may contract with a State to conduct outreach and enrollment activities for plan years 2019 through 2021. Any outreach and enrollment activities conducted by a State or other entity at the direction of the State, in accordance with such a contract, shall be treated as Federal activities to provide special benefits to participating health insurance issuers consistent with OMB Circular No. A–25R.

(4) CLARIFICATIONS.—

(A) PRIOR FUNDING.—Nothing in this subsection should be construed as rescinding or cancelling any funds already obligated on the date of enactment of this Act for outreach and enrollment activities for plan year 2019.

(B) AVAILABILITY OF FUNDING.—The Secretary shall ensure that outreach and enrollment activities are conducted in all applicable States, including, as necessary, by providing for such activities through contracts described in paragraph (3).

#### SEC. 5. OFFERING HEALTH PLANS IN MORE THAN ONE STATE.

Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the National Association of Insurance Commissioners, shall issue regulations for the implementation of health care choice compacts established under section 1333 of the Patient Protection and Affordable Care Act (42 U.S.C. 18053) to allow for the offering of health plans in more than one State.

#### SEC. 6. SHORT-TERM LIMITED DURATION HEALTH INSURANCE POLICIES.

(a) PROHIBITION ON PROPOSED RULE.—Notwithstanding any other provision of law, the Secretary of Health and Human Services, the Secretary of the Treasury, and the Secretary of Labor may not take any action to implement, enforce, or otherwise give effect to the proposed rule relating to the definition of short-term limited-duration insurance (83 Fed. Reg. 7437–7447, February 21, 2018), insofar as such proposed rule relates to a revised definition of the term “short-term limited duration insurance” and the Secretaries shall implement, enforce, and otherwise give effect to the definition of such term as applied by the Secretaries under the regulations in effect on the date of enactment of this Act (81 Fed. Reg. 75316), and such regulations shall continue in effect with respect to policies until the effective date described in subsection (b)(2).

(b) STANDARDS.—

(1) IN GENERAL.—Section 2791(b) of the Public Health Service Act (42 U.S.C. 300gg–91) is amended by adding at the end the following:

“(6) SHORT-TERM LIMITED DURATION INSURANCE.—The term ‘short-term limited duration insurance’ means health insurance coverage provided pursuant to a contract with a health insurance issuer that—

“(A) has a specified, limited duration not to exceed 93 days after the original effective date of the contract, except that the health plan may permit coverage to continue until the end of the period of hospitalization for a condition for which the covered person was hospitalized on the day that coverage would otherwise have ended;

“(B) is non-renewable and issued only to individuals who have not been covered under a short-term limited duration insurance policy from any health insurance issuer within the prior 12 months;

“(C) displays prominently in marketing materials, the contract, and in any application materials provided in connection with enrollment in such insurance a notice to consumers that includes such information which the State insurance commissioner deems sufficient to inform the individual that coverage and benefits are limited;

“(D) covers essential health benefits as set forth in section 1302 of the Patient Protection and Affordable Care Act;

“(E) meets the following requirements for individual health insurance coverage as set forth in this title—

“(i) section 2701 (relating to fair health insurance premiums);

“(ii) section 2702 (relating to guaranteed availability of coverage), except as provided in paragraph (1) consistent with the limitations of subsection (c);

“(iii) section 2704 (relating to the prohibition of pre-existing condition exclusions or other discrimination based on health status);

“(iv) section 2705 (relating to the prohibition of discrimination against individual participants and beneficiaries based on health status);

“(v) section 2706 (relating to non-discrimination in health care);

“(vi) section 2707 (relating to comprehensive health insurance coverage);

“(vii) section 2711 (prohibiting lifetime and annual limits);

“(viii) section 2712 (prohibiting rescissions);

“(ix) section 2713 (coverage of preventive health services);

“(x) section 2714 (relating to coverage of dependents); and

“(xi) section 2719 (relating to appeals); and

“(F) upon the issuance of a health insurance plan that an issuer asserts to be short-term limited duration insurance, the issuer of such plan shall provide documentation to the Secretary and the State insurance commissioner, in a form determined by the Secretary, regarding the individuals covered by the plan and the duration of the plan which shall be reviewed by the entity responsible for enforcement under section 2722, together with documentation submitted by other issuers, to determine whether the plan satisfies the requirement under subparagraph (B) and, if not, such entity shall take appropriate enforcement action.”

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to plan years beginning on or after January 1, 2019.

#### SEC. 7. FUNDING.

Notwithstanding any other provision of law related to the services described in subsection (b)(1)(B) of section 1303 of Public Law 111–148, amounts appropriated under this division are subject to no requirements or limitations related to such services other than the requirements or limitations established under such section 1303, and, in the case of amounts appropriated under section 2(a)(2)(B), such section 1303 shall apply to such amounts in the same manner and to the same extent as if the purposes for which such amounts are appropriated under section 2(a)(2)(B) were purposes specified in subsection (b)(2)(A) of such section 1303.

**SA 2223.** Mr. MCCONNELL (for Mr. HOEVEN) proposed an amendment to the bill S. 607, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Native American Business Incubators Program Act”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) entrepreneurs face specific challenges when transforming ideas into profitable business enterprises;

(2) entrepreneurs that want to provide products and services in reservation communities face an additional set of challenges that requires special knowledge;

(3) a business incubator is an organization that assists entrepreneurs in navigating obstacles that prevent innovative ideas from becoming viable businesses by providing services that include—

- (A) workspace and facilities resources;
  - (B) access to capital, business education, and counseling;
  - (C) networking opportunities;
  - (D) mentorship opportunities; and
  - (E) an environment intended to help establish and expand business operations;
- (4) the business incubator model is suited to accelerating entrepreneurship in reservation communities because the business incubator model promotes collaboration to address shared challenges and provides individually tailored services for the purpose of overcoming obstacles unique to each participating business; and

(5) business incubators will stimulate economic development by providing Native entrepreneurs with the tools necessary to grow businesses that offer products and services to reservation communities.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **BUSINESS INCUBATOR.**—The term “business incubator” means an organization that—

(A) provides physical workspace and facilities resources to startups and established businesses; and

(B) is designed to accelerate the growth and success of businesses through a variety of business support resources and services, including—

- (i) access to capital, business education, and counseling;
- (ii) networking opportunities;
- (iii) mentorship opportunities; and
- (iv) other services intended to aid in developing a business.

(2) **ELIGIBLE APPLICANT.**—The term “eligible applicant” means an applicant eligible to apply for a grant under section 4(b).

(3) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) **NATIVE AMERICAN; NATIVE.**—The terms “Native American” and “Native” have the meaning given the term “Indian” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) **NATIVE BUSINESS.**—The term “Native business” means a business concern that is at least 51-percent owned and controlled by 1 or more Native Americans.

(7) **NATIVE ENTREPRENEUR.**—The term “Native entrepreneur” means an entrepreneur who is a Native American.

(8) **PROGRAM.**—The term “program” means the program established under section 4(a).

(9) **RESERVATION.**—The term “reservation” has the meaning given the term in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

(10) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(11) **TRIBAL COLLEGE OR UNIVERSITY.**—The term “tribal college or university” has the meaning given the term “Tribal College or University” in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

### SEC. 4. ESTABLISHMENT OF PROGRAM.

(a) **IN GENERAL.**—The Secretary shall establish a program in the Office of Indian En-

ergy and Economic Development under which the Secretary shall provide financial assistance in the form of competitive grants to eligible applicants for the establishment and operation of business incubators that serve reservation communities by providing business incubation and other business services to Native businesses and Native entrepreneurs.

(b) **ELIGIBLE APPLICANTS.**—

(1) **IN GENERAL.**—To be eligible to receive a grant under the program, an applicant shall—

- (A) be—
  - (i) an Indian tribe;
  - (ii) a tribal college or university;
  - (iii) an institution of higher education; or
  - (iv) a private nonprofit organization or tribal nonprofit organization that—
    - (I) provides business and financial technical assistance; and
    - (II) will commit to serving 1 or more reservation communities;

(B) be able to provide the physical workspace, equipment, and connectivity necessary for Native businesses and Native entrepreneurs to collaborate and conduct business on a local, regional, national, and international level; and

(C) in the case of an entity described in clauses (ii) through (iv) of subparagraph (A), have been operational for not less than 1 year before receiving a grant under the program.

(2) **JOINT PROJECT.**—

(A) **IN GENERAL.**—Two or more entities may submit a joint application for a project that combines the resources and expertise of those entities at a physical location dedicated to assisting Native businesses and Native entrepreneurs under the program.

(B) **CONTENTS.**—A joint application submitted under subparagraph (A) shall—

(i) contain a certification that each participant of the joint project is one of the eligible entities described in paragraph (1)(A); and

(ii) demonstrate that together the participants meet the requirements of subparagraphs (B) and (C) of paragraph (1).

(c) **APPLICATION AND SELECTION PROCESS.**—

(1) **APPLICATION REQUIREMENTS.**—Each eligible applicant desiring a grant under the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

- (A) a certification that the applicant—
  - (i) is an eligible applicant;
  - (ii) will designate an executive director or program manager, if such director or manager has not been designated, to manage the business incubator; and
  - (iii) agrees—
    - (I) to a site evaluation by the Secretary as part of the final selection process;
    - (II) to an annual programmatic and financial examination for the duration of the grant; and
    - (III) to the maximum extent practicable, to remedy any problems identified pursuant to the site evaluation under subclause (I) or an examination under subclause (II);

(B) a description of the 1 or more reservation communities to be served by the business incubator;

(C) a 3-year plan that describes—
 

- (i) the number of Native businesses and Native entrepreneurs to be participating in the business incubator;
- (ii) whether the business incubator will focus on a particular type of business or industry;
- (iii) a detailed breakdown of the services to be offered to Native businesses and Native entrepreneurs participating in the business incubator; and

(D) information demonstrating the effectiveness and experience of the eligible applicant in—
 

- (i) conducting financial, management, and marketing assistance programs designed to educate or improve the business skills of current or prospective businesses;
- (ii) working in and providing services to Native American communities;
- (iii) providing assistance to entities conducting business in reservation communities;
- (iv) providing technical assistance under Federal business and entrepreneurial development programs for which Native businesses and Native entrepreneurs are eligible; and
- (v) managing finances and staff effectively; and

(E) a site description of the location at which the eligible applicant will provide physical workspace, including a description of the technologies, equipment, and other resources that will be available to Native businesses and Native entrepreneurs participating in the business incubator.

(2) **EVALUATION CONSIDERATIONS.**—

(A) **IN GENERAL.**—In evaluating each application, the Secretary shall consider—
 

- (i) the ability of the eligible applicant—
  - (I) to operate a business incubator that effectively imparts entrepreneurship and business skills to Native businesses and Native entrepreneurs, as demonstrated by the experience and qualifications of the eligible applicant;
  - (II) to commence providing services within a minimum period of time, to be determined by the Secretary; and
  - (III) to provide quality incubation services to a significant number of Native businesses and Native entrepreneurs;
- (ii) the experience of the eligible applicant in providing services in Native American communities, including in the 1 or more reservation communities described in the application; and
- (iii) the proposed location of the business incubator.

(B) **PRIORITY.**—

(i) **IN GENERAL.**—In evaluating the proposed location of the business incubator under subparagraph (A)(iii), the Secretary shall—
 

- (I) consider the program goal of achieving broad geographic distribution of business incubators; and
- (II) except as provided in clause (ii), give priority to eligible applicants that will provide business incubation services on or near the reservation of the 1 or more communities that were described in the application.

(ii) **EXCEPTION.**—The Secretary may give priority to an eligible applicant that is not located on or near the reservation of the 1 or more communities that were described in the application if the Secretary determines that—
 

- (I) the location of the business incubator will not prevent the eligible applicant from providing quality business incubation services to Native businesses and Native entrepreneurs from the 1 or more reservation communities to be served; and
- (II) siting the business incubator in the identified location will serve the interests of the 1 or more reservation communities to be served.

(3) **SITE EVALUATION.**—

(A) **IN GENERAL.**—Before making a grant to an eligible applicant, the Secretary shall conduct a site visit, evaluate a video submission, or evaluate a written site proposal (if the applicant is not yet in possession of the

(iv) a detailed breakdown of the services, if any, to be offered to Native businesses and Native entrepreneurs not participating in the business incubator;

(D) information demonstrating the effectiveness and experience of the eligible applicant in—

(i) conducting financial, management, and marketing assistance programs designed to educate or improve the business skills of current or prospective businesses;

(ii) working in and providing services to Native American communities;

(iii) providing assistance to entities conducting business in reservation communities;

(iv) providing technical assistance under Federal business and entrepreneurial development programs for which Native businesses and Native entrepreneurs are eligible; and

(v) managing finances and staff effectively; and

(E) a site description of the location at which the eligible applicant will provide physical workspace, including a description of the technologies, equipment, and other resources that will be available to Native businesses and Native entrepreneurs participating in the business incubator.

(2) **EVALUATION CONSIDERATIONS.**—

(A) **IN GENERAL.**—In evaluating each application, the Secretary shall consider—

(i) the ability of the eligible applicant—
 

- (I) to operate a business incubator that effectively imparts entrepreneurship and business skills to Native businesses and Native entrepreneurs, as demonstrated by the experience and qualifications of the eligible applicant;
- (II) to commence providing services within a minimum period of time, to be determined by the Secretary; and
- (III) to provide quality incubation services to a significant number of Native businesses and Native entrepreneurs;

(ii) the experience of the eligible applicant in providing services in Native American communities, including in the 1 or more reservation communities described in the application; and

(iii) the proposed location of the business incubator.

(B) **PRIORITY.**—

(i) **IN GENERAL.**—In evaluating the proposed location of the business incubator under subparagraph (A)(iii), the Secretary shall—
 

- (I) consider the program goal of achieving broad geographic distribution of business incubators; and
- (II) except as provided in clause (ii), give priority to eligible applicants that will provide business incubation services on or near the reservation of the 1 or more communities that were described in the application.

(ii) **EXCEPTION.**—The Secretary may give priority to an eligible applicant that is not located on or near the reservation of the 1 or more communities that were described in the application if the Secretary determines that—
 

- (I) the location of the business incubator will not prevent the eligible applicant from providing quality business incubation services to Native businesses and Native entrepreneurs from the 1 or more reservation communities to be served; and
- (II) siting the business incubator in the identified location will serve the interests of the 1 or more reservation communities to be served.

(3) **SITE EVALUATION.**—

(A) **IN GENERAL.**—Before making a grant to an eligible applicant, the Secretary shall conduct a site visit, evaluate a video submission, or evaluate a written site proposal (if the applicant is not yet in possession of the



site) of the proposed site to ensure the proposed site will permit the eligible applicant to meet the requirements of the program.

(B) WRITTEN SITE PROPOSAL.—A written site proposal shall meet the requirements described in paragraph (1)(E) and contain—

(i) sufficient detail for the Secretary to ensure in the absence of a site visit or video submission that the proposed site will permit the eligible applicant to meet the requirements of the program; and

(ii) a timeline describing when the eligible applicant will be—

(I) in possession of the proposed site; and

(II) operating the business incubator at the proposed site.

(C) FOLLOWUP.—Not later than 1 year after awarding a grant to an eligible applicant that submits an application with a written site proposal, the Secretary shall conduct a site visit or evaluate a video submission of the site to ensure the site is consistent with the written site proposal.

(d) ADMINISTRATION.—

(1) DURATION.—Each grant awarded under the program shall be for a term of 3 years.

(2) PAYMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall disburse grant funds awarded to an eligible applicant in annual installments.

(B) MORE FREQUENT DISBURSEMENTS.—On request by the applicant, the Secretary may make disbursements of grant funds more frequently than annually, on the condition that disbursements shall be made not more frequently than quarterly.

(3) NON-FEDERAL CONTRIBUTIONS FOR INITIAL ASSISTANCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an eligible applicant that receives a grant under the program shall provide non-Federal contributions in an amount equal to not less than 25 percent of the grant amount disbursed each year.

(B) WAIVER.—The Secretary may waive, in whole or in part, the requirements of subparagraph (A) with respect to an eligible applicant if, after considering the ability of the eligible applicant to provide non-Federal contributions, the Secretary determines that—

(i) the proposed business incubator will provide quality business incubation services; and

(ii) the 1 or more reservation communities to be served are unlikely to receive similar services because of remoteness or other reasons that inhibit the provision of business and entrepreneurial development services.

(4) RENEWALS.—

(A) IN GENERAL.—The Secretary may renew a grant award under the program for a term not to exceed 3 years.

(B) CONSIDERATIONS.—In determining whether to renew a grant award, the Secretary shall consider with respect to the eligible applicant—

(i) the results of the annual evaluations of the eligible applicant under subsection (f)(1);

(ii) the performance of the business incubator of the eligible applicant, as compared to the performance of other business incubators receiving assistance under the program;

(iii) whether the eligible applicant continues to be eligible for the program; and

(iv) the evaluation considerations for initial awards under subsection (c)(2).

(C) NON-FEDERAL CONTRIBUTIONS FOR RENEWALS.—An eligible applicant that receives a grant renewal under subparagraph (A) shall provide non-Federal contributions in an amount equal to not less than 33 percent of the total amount of the grant.

(5) NO DUPLICATIVE GRANTS.—An eligible applicant shall not be awarded a grant under the program that is duplicative of existing Federal funding from another source.

(e) PROGRAM REQUIREMENTS.—

(1) USE OF FUNDS.—An eligible applicant receiving a grant under the program may use grant amounts—

(A) to provide physical workspace and facilities for Native businesses and Native entrepreneurs participating in the business incubator;

(B) to establish partnerships with other institutions and entities to provide comprehensive business incubation services to Native businesses and Native entrepreneurs participating in the business incubator; and

(C) for any other uses typically associated with business incubators that the Secretary determines to be appropriate and consistent with the purposes of the program.

(2) MINIMUM REQUIREMENTS.—Each eligible applicant receiving a grant under the program shall—

(A) offer culturally tailored incubation services to Native businesses and Native entrepreneurs;

(B) use a competitive process for selecting Native businesses and Native entrepreneurs to participate in the business incubator;

(C) provide physical workspace that permits Native businesses and Native entrepreneurs to conduct business and collaborate with other Native businesses and Native entrepreneurs;

(D) provide entrepreneurship and business skills training and education to Native businesses and Native entrepreneurs including—

(i) financial education, including training and counseling in—

(I) applying for and securing business credit and investment capital;

(II) preparing and presenting financial statements; and

(III) managing cash flow and other financial operations of a business;

(ii) management education, including training and counseling in planning, organization, staffing, directing, and controlling each major activity or function of a business or startup; and

(iii) marketing education, including training and counseling in—

(I) identifying and segmenting domestic and international market opportunities;

(II) preparing and executing marketing plans;

(III) locating contract opportunities;

(IV) negotiating contracts; and

(V) using varying public relations and advertising techniques;

(E) provide direct mentorship or assistance finding mentors in the industry in which the Native business or Native entrepreneur operates or intends to operate; and

(F) provide access to networks of potential investors, professionals in the same or similar fields, and other business owners with similar businesses.

(3) TECHNOLOGY.—Each eligible applicant shall leverage technology to the maximum extent practicable to provide Native businesses and Native entrepreneurs with access to the connectivity tools needed to compete and thrive in 21st-century markets.

(f) OVERSIGHT.—

(1) ANNUAL EVALUATIONS.—Not later than 1 year after the date on which the Secretary awards a grant to an eligible applicant under the program, and annually thereafter for the duration of the grant, the Secretary shall conduct an evaluation of, and prepare a report on, the eligible applicant, which shall—

(A) describe the performance of the eligible applicant; and

(B) be used in determining the ongoing eligibility of the eligible applicant.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date on which the Secretary awards a grant to an eligible applicant under the program, and annually thereafter for the du-

ration of the grant, each eligible applicant receiving an award under the program shall submit to the Secretary a report describing the services the eligible applicant provided under the program during the preceding year.

(B) REPORT CONTENT.—The report described in subparagraph (A) shall include—

(i) a detailed breakdown of the Native businesses and Native entrepreneurs receiving services from the business incubator, including, for the year covered by the report—

(I) the number of Native businesses and Native entrepreneurs participating in or receiving services from the business incubator and the types of services provided to those Native businesses and Native entrepreneurs;

(II) the number of Native businesses and Native entrepreneurs established and jobs created or maintained; and

(III) the performance of Native businesses and Native entrepreneurs while participating in the business incubator and after graduation or departure from the business incubator; and

(ii) any other information the Secretary may require to evaluate the performance of a business incubator to ensure appropriate implementation of the program.

(C) LIMITATIONS.—To the maximum extent practicable, the Secretary shall not require an eligible applicant to report under subparagraph (A) information provided to the Secretary by the eligible applicant under other programs.

(D) COORDINATION.—The Secretary shall coordinate with the heads of other Federal agencies to ensure that, to the maximum extent practicable, the report content and form under subparagraphs (A) and (B) are consistent with other reporting requirements for Federal programs that provide business and entrepreneurial assistance.

(3) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 2 years after the date on which the Secretary first awards funding under the program, and biennially thereafter, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report on the performance and effectiveness of the program.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall—

(i) account for each program year; and

(ii) include with respect to each business incubator receiving grant funds under the program—

(I) the number of Native businesses and Native entrepreneurs that received business incubation or other services;

(II) the number of businesses established with the assistance of the business incubator;

(III) the number of jobs established or maintained by Native businesses and Native entrepreneurs receiving business incubation services, including a description of where the jobs are located with respect to reservation communities;

(IV) to the maximum extent practicable, the amount of capital investment and loan financing accessed by Native businesses and Native entrepreneurs receiving business incubation services; and

(V) an evaluation of the overall performance of the business incubator.

## SEC. 5. REGULATIONS.

Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations to implement the program.

## SEC. 6. SCHOOLS TO BUSINESS INCUBATOR PIPELINE.

The Secretary shall facilitate the establishment of relationships between eligible

applicants receiving funds through the program and educational institutions serving Native American communities, including tribal colleges and universities.

#### SEC. 7. AGENCY PARTNERSHIPS.

The Secretary shall coordinate with the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Treasury, and the Administrator of the Small Business Administration to ensure, to the maximum extent practicable, that business incubators receiving grant funds under the program have the information and materials needed to provide Native businesses and Native entrepreneurs with the information and assistance necessary to apply for business and entrepreneurial development programs administered by the Department of Agriculture, the Department of Commerce, the Department of the Treasury, and the Small Business Administration.

#### SEC. 8. AUTHORIZATIONS OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the program \$5,000,000 for each of fiscal years 2019 through 2023.

**SA 2224.** Mr. McCONNELL (for Mr. HOEVEN) proposed an amendment to the bill S. 1116, to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Indian Community Economic Enhancement Act of 2018”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1)(A) to bring industry and economic development to Indian communities, Indian tribes must overcome a number of barriers, including—

- (i) geographical location;
- (ii) lack of infrastructure or capacity;
- (iii) lack of sufficient collateral and capital; and
- (iv) regulatory bureaucracy relating to—
  - (I) development; and
  - (II) access to services provided by the Federal Government; and

(B) the barriers described in subparagraph (A) often add to the cost of doing business in Indian communities;

- (2) Indian tribes—
  - (A) enact laws and exercise sovereign governmental powers;
  - (B) determine policy for the benefit of tribal members; and
  - (C) produce goods and services for consumers;

(3) the Federal Government has—
 

- (A) an important government-to-government relationship with Indian tribes; and
- (B) a role in facilitating healthy and sustainable tribal economies;

(4) the input of Indian tribes in developing Federal policy and programs leads to more meaningful and effective measures to assist Indian tribes and Indian entrepreneurs in building tribal economies;

(5)(A) many components of tribal infrastructure need significant repair or replacement; and

(B) access to private capital for projects in Indian communities—

- (i) may not be available; or
- (ii) may come at a higher cost than such access for other projects;

(6)(A) Federal capital improvement programs, such as those that facilitate tax-ex-

empt bond financing and loan guarantees, are tools that help improve or replace crumbling infrastructure;

(B) lack of parity in treatment of an Indian tribe as a governmental entity under Federal tax and certain other regulatory laws impedes, in part, the ability of Indian tribes to raise capital through issuance of tax exempt debt, invest as an accredited investor, and benefit from other investment incentives accorded to State and local governmental entities; and

(C) as a result of the disparity in treatment of Indian tribes described in subparagraph (B), investors may avoid financing, or demand a premium to finance, projects in Indian communities, making the projects more costly or inaccessible;

(7) there are a number of Federal loan guarantee programs available to facilitate financing of business, energy, economic, housing, and community development projects in Indian communities, and those programs may support public-private partnerships for infrastructure development, but improvements and support are needed for those programs specific to Indian communities to facilitate more effectively private financing for infrastructure and other urgent development needs; and

(8)(A) most real property held by Indian tribes is trust or restricted land that essentially cannot be held as collateral; and

(B) while creative solutions, such as leasehold mortgages, have been developed in response to the problem identified in subparagraph (A), some solutions remain subject to review and approval by the Bureau of Indian Affairs, adding additional costs and delay to tribal projects.

#### SEC. 3. NATIVE AMERICAN BUSINESS DEVELOPMENT, TRADE PROMOTION, AND TOURISM ACT OF 2000.

(a) FINDINGS; PURPOSES.—Section 2 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4301) is amended by adding at the end the following:

“(c) APPLICABILITY TO INDIAN-OWNED BUSINESSES.—The findings and purposes in subsections (a) and (b) shall apply to any Indian-owned business governed—

“(1) by tribal laws regulating trade or commerce on Indian lands; or

“(2) pursuant to section 5 of the Act of August 15, 1876 (19 Stat. 200, chapter 289; 25 U.S.C. 261).”

(b) DEFINITIONS.—Section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302) is amended—

(1) by redesignating paragraphs (1) through (6) and paragraphs (7) through (9), as paragraphs (2) through (7) and paragraphs (9) through (11), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

“(1) DIRECTOR.—The term ‘Director’ means the Director of Native American Business Development appointed pursuant to section 4(a)(2).”; and

(3) by inserting after paragraph (7) (as redesignated by paragraph (1)) the following:

“(8) OFFICE.—The term ‘Office’ means the Office of Native American Business Development established by section 4(a)(1).”

(c) OFFICE OF NATIVE AMERICAN BUSINESS DEVELOPMENT.—Section 4 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4303) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “Department of Commerce” and inserting “Office of the Secretary”; and

(ii) by striking “(referred to in this Act as the ‘Office’)”; and

(B) in paragraph (2), in the first sentence, by striking “(referred to in this Act as the ‘Director’)”; and

(2) by adding at the end the following:

“(c) DUTIES OF DIRECTOR.—

“(1) IN GENERAL.—The Director shall serve as—

“(A) the program and policy advisor to the Secretary with respect to the trust and governmental relationship between the United States and Indian tribes; and

“(B) the point of contact for Indian tribes, tribal organizations, and Indians regarding—

“(i) policies and programs of the Department of Commerce; and

“(ii) other matters relating to economic development and doing business in Indian lands.

“(2) DEPARTMENTAL COORDINATION.—The Director shall coordinate with all offices and agencies within the Department of Commerce to ensure that each office and agency has an accountable process to ensure—

“(A) meaningful and timely coordination and assistance, as required by this Act; and

“(B) consultation with Indian tribes regarding the policies, programs, assistance, and activities of the offices and agencies.

“(3) OFFICE OPERATIONS.—There are authorized to be appropriated to carry out this section not more than \$2,000,000 for each fiscal year.”

(d) INDIAN COMMUNITY DEVELOPMENT INITIATIVES.—The Native American Business Development, Trade Promotion, and Tourism Act of 2000 is amended—

(1) by redesignating section 8 (25 U.S.C. 4307) as section 10; and

(2) by inserting after section 7 (25 U.S.C. 4306) the following:

#### “SEC. 8. INDIAN COMMUNITY DEVELOPMENT INITIATIVES.

“(a) INTERAGENCY COORDINATION.—Not later than 1 year after the enactment of this section, the Secretary, the Secretary of the Interior, and the Secretary of the Treasury shall coordinate—

“(1) to develop initiatives that—

“(A) encourage, promote, and provide education regarding investments in Indian communities through—

“(i) the loan guarantee program of Bureau of Indian Affairs under section 201 of the Indian Financing Act of 1974 (25 U.S.C. 1481);

“(ii) programs carried out using amounts in the Community Development Financial Institutions Fund established under section 104(a) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(a)); and

“(iii) other capital development programs;

“(B) examine and develop alternatives that would qualify as collateral for financing in Indian communities; and

“(C) provide entrepreneur and other training relating to economic development through tribally controlled colleges and universities and other Indian organizations with experience in providing such training;

“(2) to consult with Indian tribes and with the Securities and Exchange Commission to study, and collaborate to establish, regulatory changes necessary to qualify an Indian tribe as an accredited investor for the purposes of sections 230.500 through 230.508 of title 17, Code of Federal Regulations (or successor regulations), consistent with the goals of promoting capital formation and ensuring qualifying Indian tribes have the ability to withstand investment loss, on a basis comparable to other legal entities that qualify as accredited investors who are not natural persons;

“(3) to identify regulatory, legal, or other barriers to increasing investment, business, and economic development, including qualifying or approving collateral structures, measurements of economic strength, and

contributions of Indian economies in Indian communities through the Authority established under section 4 of the Indian Tribal Regulatory Reform and Business Development Act of 2000 (25 U.S.C. 4301 note);

“(4) to ensure consultation with Indian tribes regarding increasing investment in Indian communities and the development of the report required in paragraph (5); and

“(5) not less than once every 2 years, to provide a report to Congress regarding—

“(A) improvements to Indian communities resulting from such initiatives and recommendations for promoting sustained growth of the tribal economies;

“(B) results of the study and collaboration regarding the necessary changes referenced in paragraph (2) and the impact of allowing Indian tribes to qualify as an accredited investor; and

“(C) the identified regulatory, legal, and other barriers referenced in paragraph (3).

“(b) WAIVER.—For assistance provided pursuant to section 108 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4707) to benefit Native Community Development Financial Institutions, as defined by the Secretary of the Treasury, section 108(e) of such Act shall not apply.

“(c) INDIAN ECONOMIC DEVELOPMENT FEASIBILITY STUDY.—

“(1) IN GENERAL.—The Government Accountability Office shall conduct a study and, not later than 18 months after the date of enactment of this subsection, submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report on the findings of the study and recommendations.

“(2) CONTENTS.—The study shall include an assessment of each of the following:

“(A) IN GENERAL.—The study shall assess current Federal capitalization and related programs and services that are available to assist Indian communities with business and economic development, including manufacturing, physical infrastructure (such as telecommunications and broadband), community development, and facilities construction for such purposes. For each of the Federal programs and services identified, the study shall assess the current use and demand by Indian tribes, individuals, businesses, and communities of the programs, the capital needs of Indian tribes, businesses, and communities related to economic development, and the extent that similar programs have been used to assist non-Indian communities compared to the extent used for Indian communities.

“(B) FINANCING ASSISTANCE.—The study shall assess and quantify the extent of assistance provided to non-Indian borrowers and to Indian (both tribal and individual) borrowers (including information about such assistance as a percentage of need for Indian borrowers and for non-Indian borrowers, assistance to Indian borrowers and to non-Indian borrowers as a percentage of total applicants, and such assistance to Indian borrowers as individuals as compared to such assistance to Indian tribes) through the loan programs, the loan guarantee programs, or bond guarantee programs of the—

“(i) Department of the Interior;

“(ii) Department of Agriculture;

“(iii) Department of Housing and Urban Development;

“(iv) Department of Energy;

“(v) Small Business Administration; and

“(vi) Community Development Financial Institutions Fund of the Department of the Treasury.

“(C) TAX INCENTIVES.—The study shall assess and quantify the extent of the assistance and allocations afforded for non-Indian projects and for Indian projects pursuant to

each of the following tax incentive programs:

“(i) New market tax credit.

“(ii) Low income housing tax credit.

“(iii) Investment tax credit.

“(iv) Renewable energy tax incentives.

“(v) Accelerated depreciation.

“(D) TRIBAL INVESTMENT INCENTIVE.—The study shall assess various alternative incentives that could be provided to enable and encourage tribal governments to invest in an Indian community development investment fund or bank.”

#### SEC. 4. BUY INDIAN ACT.

Section 23 of the Act of June 25, 1910 (commonly known as the “Buy Indian Act”) (36 Stat. 861, chapter 431; 25 U.S.C. 47), is amended to read as follows:

#### “SEC. 23. EMPLOYMENT OF INDIAN LABOR AND PURCHASE OF PRODUCTS OF INDIAN INDUSTRY; PARTICIPATION IN MENTOR-PROTEGE PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) INDIAN ECONOMIC ENTERPRISE.—The term ‘Indian economic enterprise’ has the meaning given the term in section 1480.201 of title 48, Code of Federal Regulations (or successor regulations).

“(2) MENTOR FIRM; PROTEGE FIRM.—The terms ‘mentor firm’ and ‘protege firm’ have the meanings given those terms in section 831(c) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510).

“(3) SECRETARIES.—The term ‘Secretaries’ means—

“(A) the Secretary of the Interior; and

“(B) the Secretary of Health and Human Services.

“(b) ENTERPRISE DEVELOPMENT.—

“(1) IN GENERAL.—Unless determined by one of the Secretaries to be impracticable and unreasonable—

“(A) Indian labor shall be employed; and

“(B) purchases of Indian industry products (including printing and facilities construction, notwithstanding any other provision of law) may be made in open market by the Secretaries.

“(2) MENTOR-PROTEGE PROGRAM.—

“(A) IN GENERAL.—Participation in the Mentor-Protege Program established under section 831(a) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510) or receipt of assistance under a developmental assistance agreement under that program shall not render any individual or entity involved in the provision of Indian labor or an Indian industry product ineligible to receive assistance under this section.

“(B) TREATMENT.—For purposes of this section, no determination of affiliation or control (whether direct or indirect) may be found between a protege firm and a mentor firm on the basis that the mentor firm has provided, or agreed to provide, to the protege firm, pursuant to a mentor-protege agreement, any form of developmental assistance described in section 831(f) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510).

“(c) IMPLEMENTATION.—In carrying out this section, the Secretaries shall—

“(1) conduct outreach to Indian industrial entities;

“(2) provide training;

“(3) promulgate regulations in accordance with this section and with the regulations under part 1480 of title 48, Code of Federal Regulations (or successor regulations), to harmonize the procurement procedures of the Department of the Interior and the Department of Health and Human Services, to the maximum extent practicable;

“(4) require regional offices of the Bureau of Indian Affairs and the Indian Health Serv-

ice to aggregate data regarding compliance with this section;

“(5) require procurement management reviews by their respective Departments to include a review of the implementation of this section; and

“(6) consult with Indian tribes, Indian industrial entities, and other stakeholders regarding methods to facilitate compliance with—

“(A) this section; and

“(B) other small business or procurement goals.

“(d) REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and not less frequently than once every 2 years thereafter, each of the Secretaries shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing, during the period covered by the report, the implementation of this section by each of the respective Secretaries.

“(2) CONTENTS.—Each report under this subsection shall include, for each fiscal year during the period covered by the report—

“(A) the names of each agency under the respective jurisdiction of each of the Secretaries to which this section has been applied, and efforts made by additional agencies within the Secretaries’ respective Departments to use the procurement procedures under this Act;

“(B) a summary of the types of purchases made from, and contracts (including any relevant modifications, extensions, or renewals) awarded to, Indian economic enterprises, expressed by agency region;

“(C) a description of the percentage increase or decrease in total dollar value and number of purchases and awards made within each agency region, as compared to the totals of the region for the preceding fiscal year;

“(D) a description of the methods used by applicable contracting officers and employees to conduct market searches to identify qualified Indian economic enterprises;

“(E) a summary of all deviations granted under section 1480.403 of title 48, Code of Federal Regulations (or successor regulations), including a description of—

“(i) the types of alternative procurement methods used, including any Indian owned businesses reported under other procurement goals; and

“(ii) the dollar value of any awards made pursuant to those deviations;

“(F) a summary of all determinations made to provide awards to Indian economic enterprises, including a description of the dollar value of the awards;

“(G) a description or summary of the total number and value of all purchases of, and contracts awarded for, supplies, services, and construction (including the percentage increase or decrease, as compared to the preceding fiscal year) from—

“(i) Indian economic enterprises; and

“(ii) non-Indian economic enterprises;

“(H) any administrative, procedural, legal, or other barriers to achieving the purposes of this section, together with recommendations for legislative or administrative actions to address those barriers; and

“(I) for each agency region—

“(i) the total amount spent on purchases made from, and contracts awarded to, Indian economic enterprises; and

“(ii) a comparison of the amount described in clause (i) to the total amount that the agency region would likely have spent on the same purchases made from a non-Indian economic enterprise or contracts awarded to a non-Indian economic enterprise.

“(e) GOALS.—Each agency shall establish an annual minimum percentage goal for procurement in compliance with this section.”.

**SEC. 5. NATIVE AMERICAN PROGRAMS ACT OF 1974.**

(a) FINANCIAL ASSISTANCE FOR NATIVE AMERICAN PROJECTS.—Section 803 of the Native American Programs Act of 1974 (42 U.S.C. 2991b) is amended—

(1) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively; and

(2) by inserting after subsection (a) the following:

“(b) ECONOMIC DEVELOPMENT.—

“(1) IN GENERAL.—The Commissioner may provide assistance under subsection (a) for projects relating to the purposes of this title to a Native community development financial institution, as defined by the Secretary of the Treasury.

“(2) PRIORITY.—With regard to not less than 50 percent of the total amount available for assistance under this section, the Commissioner shall give priority to any application seeking assistance for—

“(A) the development of a tribal code or court system for purposes of economic development, including commercial codes, training for court personnel, regulation pursuant to section 5 of the Act of August 15, 1876 (19 Stat. 200, chapter 289; 25 U.S.C. 261), and the development of nonprofit subsidiaries or other tribal business structures;

“(B) the development of a community development financial institution, including training and administrative expenses; or

“(C) the development of a tribal master plan for community and economic development and infrastructure.”.

(b) TECHNICAL ASSISTANCE AND TRAINING.—Section 804 of the Native American Programs Act of 1974 (42 U.S.C. 2991c) is amended—

(1) in the matter preceding paragraph (1), by striking “The Commissioner” and inserting the following:

“(a) IN GENERAL.—The Commissioner”; and

(2) by adding at the end the following:

“(b) PRIORITY.—In providing assistance under subsection (a), the Commissioner shall give priority to any application described in section 803(b)(2).”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended—

(1) by striking “803(d)” each place it appears and inserting “803(e)”; and

(2) in subsection (a)—

(A) by striking “such sums as may be necessary” and inserting “\$34,000,000”; and

(B) by striking “1999, 2000, 2001, and 2002” and inserting “2019 through 2023”.

**SA 2225.** Mr. McCONNELL (for Mr. LANKFORD) proposed an amendment to the bill S. 943, to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes; as follows:

On page 27, strike lines 11 through 17.

On page 27, line 18, strike “(2)” and insert “(1)”.

On page 28, line 7, strike “(3)” and insert “(2)”.

On page 29, lines 5 and 6, strike “and local educational agencies” and insert “, local educational agencies, and Alaska Native organizations”.

On page 29, lines 8 through 10, strike “Indian tribes and State educational agencies and local educational agencies” and insert

“Indian tribes, State educational agencies, local educational agencies, and Alaska Native organizations”.

**SA 2226.** Mr. McCONNELL (for Mr. RISCH) proposed an amendment to the concurrent resolution H. Con. Res. 116, Official Title Not Available; as follows:

At the end add the following:  
“On page 749, line 12, strike ‘and’ through line 14 ‘are’ and insert ‘is’”

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. SASSE. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 22, 2018, at 10 a.m. to conduct a hearing.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, March 22, 2018, at 10 a.m. to conduct a hearing entitled “Over-sight of HUD.”

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, March 22, 2018, at 10 a.m. to conduct a hearing on the following nominations: Theodore J. Garrish, of Maryland, to be an Assistant Secretary (International Affairs), and James Edward Campos, of Nevada, to be Director of the Office of Minority Economic Impact, both of the Department of Energy, and James Reilly, of Colorado, to be Director of the United States Geological Survey, Department of the Interior; to be immediately followed by a hearing to examine S. 2539, to amend the Energy and Water Development and Related Agencies Appropriations Act, 2015, to reauthorize certain projects to increase Colorado River System water, S. 2560, to authorize the Secretary of the Interior to establish a program to facilitate the transfer to non-Federal ownership of appropriate reclamation projects or facilities, and S. 2563, to improve the water supply and drought resilience of the United States.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, March 22, 2018, at 10 a.m. to conduct a hearing entitled “2018 Western Water Supply Outlook.”

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the

Senate on Thursday, March 22, 2018, at 10 a.m. to conduct a hearing entitled, “The President's 2018 Trade Policy Agenda.”

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, March 22, 2018, at 10 a.m. to conduct a hearing on the following nominations: John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, Kari A. Dooley, to be United States District Judge for the District of Connecticut, Dominic W. Lanza, to be United States District Judge for the District of Arizona, Jill Aiko Otake, to be United States District Judge for the District of Hawaii, and Thomas T. Cullen, to be United States Attorney for the Western District of Virginia, Robert K. Hur, to be United States Attorney for the District of Maryland, and David C. Joseph, to be United States Attorney for the Western District of Louisiana, all of the Department of Justice.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, March 22, 2018, at 2 p.m. to conduct a closed hearing.

**PRIVILEGES OF THE FLOOR**

Mr. CASEY. Mr. President, I ask unanimous consent that Liz Weintraub of my staff be granted floor privileges for the duration of today's proceedings.

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

**AMBER ALERT IN INDIAN COUNTRY ACT OF 2017**

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 772.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 772) entitled “An Act to amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants.”, do pass with an amendment.

Mr. McCONNELL. I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and the motion to reconsider be considered made and laid upon the table.

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

**PROVIDING FOR THE CONVEYANCE OF CERTAIN PROPERTY TO THE TANANA TRIBAL COUNCIL AND TO THE BRISTOL BAY AREA HEALTH CORPORATION**

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 24, S. 269.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 269) to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and to the Bristol Bay Area Health Corporation located in Dillingham, Alaska, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. 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 (S. 269) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 269

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. CONVEYANCE OF PROPERTY TO THE TANANA TRIBAL COUNCIL.**

(a) CONVEYANCE OF PROPERTY.—

(1) IN GENERAL.—As soon as practicable, but not later than 180 days, after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the “Secretary”) shall convey to the Tanana Tribal Council located in Tanana, Alaska (referred to in this section as the “Council”), all right, title, and interest of the United States in and to the property described in subsection (b) for use in connection with health and social services programs.

(2) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under this subsection shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in subsection (b) executed by the Secretary and the Council.

(3) CONDITIONS.—The conveyance of the property under this section—

(A) shall be made by warranty deed; and

(B) shall not—

(i) require any consideration from the Council for the property;

(ii) impose any obligation, term, or condition on the Council; or

(iii) allow for any reversionary interest of the United States in the property.

(b) PROPERTY DESCRIBED.—The property, including all land, improvements, and appurtenances, described in this subsection is the property included in U.S. Survey No. 5958, Lot 12, in the village of Tanana, Alaska, within surveyed Township 4N, Range 22W, Fairbanks Meridian, Alaska, containing 11.25 acres.

(c) ENVIRONMENTAL LIABILITY.—

(1) LIABILITY.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Council shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in subsection (b) on or before the date on which the property is conveyed to the Council.

(B) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in subparagraph (A) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(2) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this section as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(3) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this section, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

**SEC. 2. CONVEYANCE OF PROPERTY TO THE BRISTOL BAY AREA HEALTH CORPORATION.**

(a) CONVEYANCE OF PROPERTY.—

(1) IN GENERAL.—As soon as practicable, but not later than 180 days, after the date of enactment of this Act, the Secretary shall convey to the Bristol Bay Area Health Corporation located in Dillingham, Alaska (referred to in this section as the “Corporation”), all right, title, and interest of the United States in and to the property described in subsection (b) for use in connection with health and social services programs.

(2) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under this subsection shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in subsection (b) executed by the Secretary and the Corporation.

(3) CONDITIONS.—The conveyance of the property under this section—

(A) shall be made by warranty deed; and

(B) shall not—

(i) require any consideration from the Corporation for the property;

(ii) impose any obligation, term, or condition on the Corporation; or

(iii) allow for any reversionary interest of the United States in the property.

(b) PROPERTY DESCRIBED.—The property, including all land, improvements, and appurtenances, described in this subsection is the property included in Dental Annex Subdivision, creating tract 1, a subdivision of Lot 2 of U.S. Survey No. 2013, located in Section 36, Township 13 South, Range 56 West, Seward Meridian, Bristol Bay Recording District, Dillingham, Alaska, according to Plat No. 2015-8, recorded on May 28, 2015, in the Bristol Bay Recording District, Dillingham, Alaska, containing 1.474 acres more or less.

(c) ENVIRONMENTAL LIABILITY.—

(1) LIABILITY.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Corporation shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in subsection (b) on or before the date on which the property is conveyed to the Corporation.

(B) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in subparagraph (A) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(2) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this section as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(3) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this section, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response,

Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

**NATIVE AMERICAN BUSINESS INCUBATORS PROGRAM ACT**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 229, S. 607.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 607) to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Hoeven substitute amendment at the desk be agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2223) in the nature of a substitute was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. 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. 607), as amended, was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

**INDIAN COMMUNITY ECONOMIC ENHANCEMENT ACT OF 2017**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 248, S. 1116.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1116) to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with amendments, as follows:

(The part of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1116

*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 “Indian Community Economic Enhancement Act of 2017”.

**SEC. 2. FINDINGS.**

Congress finds that—

(1)(A) to bring industry and economic development to Indian communities, Indian tribes must overcome a number of barriers, including—

- (i) geographical location;
- (ii) lack of infrastructure or capacity;
- (iii) lack of sufficient collateral and capital; and
- (iv) regulatory bureaucracy relating to—
  - (I) development; and
  - (II) access to services provided by the Federal Government; and

(B) the barriers described in subparagraph (A) often add to the cost of doing business in Indian communities;

(2) Indian tribes—

- (A) enact laws and exercise sovereign governmental powers;
- (B) determine policy for the benefit of tribal members; and
- (C) produce goods and services for consumers;

(3) the Federal Government has—

- (A) an important government-to-government relationship with Indian tribes; and
- (B) a role in facilitating healthy and sustainable tribal economies;

(4) the input of Indian tribes in developing Federal policy and programs leads to more meaningful and effective measures to assist Indian tribes and Indian entrepreneurs in building tribal economies;

(5)(A) many components of tribal infrastructure need significant repair or replacement; and

(B) access to private capital for projects in Indian communities—

- (i) may not be available; or
- (ii) may come at a higher cost than such access for other projects;

(6)(A) Federal capital improvement programs, such as those that facilitate tax-exempt bond financing and loan guarantees, are tools that help improve or replace crumbling infrastructure;

(B) lack of parity in treatment of an Indian tribe as a governmental entity under Federal tax and certain other regulatory laws impedes, in part, the ability of Indian tribes to raise capital through issuance of tax exempt debt, invest as an accredited investor, and benefit from other investment incentives accorded to State and local governmental entities; and

(C) as a result of the disparity in treatment of Indian tribes described in subparagraph (B), investors may avoid financing, or demand a premium to finance, projects in Indian communities, making the projects more costly or inaccessible;

(7) there are a number of Federal loan guarantee programs available to facilitate financing of business, energy, economic, housing, and community development projects in Indian communities, and those programs may support public-private partnerships for infrastructure development, but improvements and support are needed for those programs specific to Indian communities to facilitate more effectively private financing for infrastructure and other urgent development needs; and

(8)(A) most real property held by Indian tribes is trust or restricted land that essentially cannot be held as collateral; and

(B) while creative solutions, such as leasehold mortgages, have been developed in response to the problem identified in subpara-

graph (A), some solutions remain subject to review and approval by the Bureau of Indian Affairs, adding additional costs and delay to tribal projects.

**SEC. 3. NATIVE AMERICAN BUSINESS DEVELOPMENT, TRADE PROMOTION, AND TOURISM ACT OF 2000.**

(a) FINDINGS; PURPOSES.—Section 2 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4301) is amended by adding at the end the following:

“(c) APPLICABILITY TO INDIAN-OWNED BUSINESSES.—The findings and purposes in subsections (a) and (b) shall apply to any Indian-owned business governed—

“(1) by tribal laws regulating trade or commerce on Indian lands; or

“(2) pursuant to section 5 of the Act of August 15, 1876 (19 Stat. 200, chapter 289; 25 U.S.C. 261).”.

(b) DEFINITIONS.—Section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302) is amended—

(1) by redesignating paragraphs (1) through (6) and paragraphs (7) through (9), as paragraphs (2) through (7) and paragraphs (9) through (11), respectively;

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

“(1) DIRECTOR.—The term ‘Director’ means the Director of Native American Business Development appointed pursuant to section 4(a)(2).”; and

(3) by inserting after paragraph (7) (as redesignated by paragraph (1)) the following:

“(8) OFFICE.—The term ‘Office’ means the Office of Native American Business Development established by section 4(a)(1).”.

(c) OFFICE OF NATIVE AMERICAN BUSINESS DEVELOPMENT.—Section 4 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4303) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “Department of Commerce” and inserting “Office of the Secretary”; and

(ii) by striking “(referred to in this Act as the ‘Office’)”; and

(B) in paragraph (2), in the first sentence, by striking “(referred to in this Act as the ‘Director’)”; and

(2) by adding at the end the following:

“(c) DUTIES OF DIRECTOR.—

“(1) IN GENERAL.—The Director shall serve as—

“(A) the program and policy advisor to the Secretary with respect to the trust and governmental relationship between the United States and Indian tribes; and

“(B) the point of contact for Indian tribes, tribal organizations, and Indians regarding—

“(i) policies and programs of the Department of Commerce; and

“(ii) other matters relating to economic development and doing business in Indian lands.

“(2) DEPARTMENTAL COORDINATION.—The Director shall coordinate with all offices and agencies within the Department of Commerce to ensure that each office and agency has an accountable process to ensure—

“(A) meaningful and timely coordination and assistance, as required by this Act; and

“(B) consultation with Indian tribes regarding the policies, programs, assistance, and activities of the offices and agencies.

“(3) OFFICE OPERATIONS.—There are authorized to be appropriated to carry out this section not more than \$2,000,000 for each fiscal year.”.

(d) INDIAN COMMUNITY DEVELOPMENT INITIATIVES.—The Native American Business Development, Trade Promotion, and Tourism Act of 2000 is amended—

(1) by redesignating section 8 (25 U.S.C. 4307) as section 10; and

(2) by inserting after section 7 (25 U.S.C. 4306) the following:

**“SEC. 8. INDIAN COMMUNITY DEVELOPMENT INITIATIVES.**

“(a) INTERAGENCY COORDINATION.—Not later than 1 year after the enactment of this section, the Secretary, the Secretary of the Interior, and the Secretary of the Treasury shall coordinate—

“(1) to develop initiatives that—

“(A) encourage, promote, and provide education regarding investments in Indian communities through—

“(i) the loan guarantee program of Bureau of Indian Affairs under section 201 of the Indian Financing Act of 1974 (25 U.S.C. 1481);

“(ii) programs carried out using amounts in the Community Development Financial Institutions Fund established under section 104(a) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(a)); and

“(iii) other capital development programs;

“(B) examine and develop alternatives that would qualify as collateral for financing in Indian communities; and

“(C) provide entrepreneur and other training relating to economic development through tribally controlled colleges and universities and other Indian organizations with experience in providing such training;

“(2) to consult with Indian tribes and with the Securities and Exchange Commission to study, and collaborate to establish, regulatory changes necessary to qualify an Indian tribe as an accredited investor for the purposes of sections 230.500 through 230.508 of title 17, Code of Federal Regulations (or successor regulations), consistent with the goals of promoting capital formation and ensuring qualifying Indian tribes have the ability to withstand investment loss, on a basis comparable to other legal entities that qualify as accredited investors who are not natural persons;

“(3) to identify regulatory, legal, or other barriers to increasing investment, business, and economic development, including qualifying or approving collateral structures, measurements of economic strength, and contributions of Indian economies in Indian communities through the Authority established under section 4 of the Indian Tribal Regulatory Reform and Business Development Act of 2000 (25 U.S.C. 4301 note);

“(4) to ensure consultation with Indian tribes regarding increasing investment in Indian communities and the development of the report required in paragraph (5); and

“(5) not less than once every 3 years, to provide a report to Congress regarding improvements to Indian communities resulting from such initiatives and recommendations for promoting sustained growth of the tribal economies.

“(b) WAIVER.—For assistance provided pursuant to section 108 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4707) to benefit Native Community Development Financial Institutions, as defined by the Secretary of the Treasury, section 108(e) of such Act shall not apply.

“(c) INDIAN ECONOMIC DEVELOPMENT FEASIBILITY STUDY.—

“(1) IN GENERAL.—The Government Accountability Office shall conduct a study and, not later than 18 months after the date of enactment of this subsection, submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report on the findings of the study and recommendations.

“(2) CONTENTS.—The study shall include an assessment of each of the following:

“(A) IN GENERAL.—The study shall assess current Federal capitalization and related programs and services that are available to

assist Indian communities with business and economic development, including manufacturing, physical infrastructure (such as telecommunications and broadband), community development, and facilities construction for such purposes. For each of the Federal programs and services identified, the study shall assess the current use and demand by Indian tribes, individuals, businesses, and communities of the programs, the capital needs of Indian tribes, businesses, and communities related to economic development, and the extent that similar programs have been used to assist non-Indian communities compared to the extent used for Indian communities.

“(B) FINANCING ASSISTANCE.—The study shall assess and quantify the extent of assistance provided to non-Indian borrowers and to Indian (both tribal and individual) borrowers through the loan programs, the loan guarantee programs, or bond guarantee programs of the—

- “(i) Department of the Interior;
- “(ii) Department of Agriculture;
- “(iii) Department of Housing and Urban Development;
- “(iv) Department of Energy;
- “(v) Small Business Administration; and
- “(vi) Community Development Financial Institutions Fund of the Department of the Treasury.

“(C) TAX INCENTIVES.—The study shall assess and quantify the extent of the assistance and allocations afforded for non-Indian projects and for Indian projects pursuant to each of the following tax incentive programs:

- “(i) New market tax credit.
- “(ii) Low income housing tax credit.
- “(iii) Investment tax credit.
- “(iv) Renewable energy tax incentives.
- “(v) Accelerated depreciation.

“(D) TRIBAL INVESTMENT INCENTIVE.—The study shall assess various alternative incentives that could be provided to enable and encourage tribal governments to invest in an Indian community development investment fund or bank.”

#### SEC. 4. BUY INDIAN ACT.

Section 23 of the Act of June 25, 1910 (commonly known as the “Buy Indian Act”) (36 Stat. 861, chapter 431; 25 U.S.C. 47), is amended to read as follows:

#### “SEC. 23. EMPLOYMENT OF INDIAN LABOR AND PURCHASE OF PRODUCTS OF INDIAN INDUSTRY; PARTICIPATION IN MENTOR-PROTEGE PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) INDIAN ECONOMIC ENTERPRISE.—The term ‘Indian economic enterprise’ has the meaning given the term in section 1480.201 of title 48, Code of Federal Regulations (or successor regulations).

“(2) MENTOR FIRM; PROTEGE FIRM.—The terms ‘mentor firm’ and ‘protege firm’ have the meanings given those terms in section 831(c) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510).

“(3) SECRETARIES.—The term ‘Secretaries’ means—

- “(A) the Secretary of the Interior; and
- “(B) the Secretary of Health and Human Services.

“(b) ENTERPRISE DEVELOPMENT.—

“(1) IN GENERAL.—Unless determined by one of the Secretaries to be impracticable and unreasonable—

- “(A) Indian labor shall be employed; and
- “(B) purchases of Indian industry products (including printing and facilities construction, notwithstanding any other provision of law) may be made in open market by the Secretaries.

“(2) MENTOR-PROTEGE PROGRAM.—

“(A) IN GENERAL.—Participation in the Mentor-Protege Program established under section 831(a) of the National Defense Au-

thorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510) or receipt of assistance under a developmental assistance agreement under that program shall not render any individual or entity involved in the provision of Indian labor or an Indian industry product ineligible to receive assistance under this section.

“(B) TREATMENT.—For purposes of this section, no determination of affiliation or control (whether direct or indirect) may be found between a protege firm and a mentor firm on the basis that the mentor firm has provided, or agreed to provide, to the protege firm, pursuant to a mentor-protege agreement, any form of developmental assistance described in section 831(f) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note; Public Law 101-510).

“(c) IMPLEMENTATION.—In carrying out this section, the Secretaries shall—

- “(1) conduct outreach to Indian industrial entities;
- “(2) provide training;
- “(3) promulgate regulations in accordance with this section and with the regulations under part 1480 of title 48, Code of Federal Regulations (or successor regulations), to harmonize the procurement procedures of the Department of the Interior and the Department of Health and Human Services, to the maximum extent practicable;
- “(4) require regional offices of the Bureau of Indian Affairs and the Indian Health Service to aggregate data regarding compliance with this section;
- “(5) require procurement management reviews by their respective Departments to include a review of the implementation of this section; and
- “(6) consult with Indian tribes, Indian industrial entities, and other stakeholders regarding methods to facilitate compliance with—

“(A) this section; and

“(B) other small business or procurement goals.

“(d) REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and not less frequently than once every 2 years thereafter, each of the Secretaries shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing, during the period covered by the report, the implementation of this section by each of the respective Secretaries.

“(2) CONTENTS.—Each report under this subsection shall include, for each fiscal year during the period covered by the report—

- “(A) the names of each agency under the respective jurisdiction of each of the Secretaries to which this section has been applied, and efforts made by additional agencies within the Secretaries’ respective Departments to use the procurement procedures under this Act;
- “(B) a summary of the types of purchases made from, and contracts (including any relevant modifications, extensions, or renewals) awarded to, Indian economic enterprises, expressed by agency region;
- “(C) a description of the percentage increase or decrease in total dollar value and number of purchases and awards made within each agency region, as compared to the totals of the region for the preceding fiscal year;
- “(D) a description of the methods used by applicable contracting officers and employees to conduct market searches to identify qualified Indian economic enterprises;
- “(E) a summary of all deviations granted under section 1480.403 of title 48, Code of Federal Regulations (or successor regulations), including a description of—

“(i) the types of alternative procurement methods used, including any Indian owned businesses reported under other procurement goals; and

“(ii) the dollar value of any awards made pursuant to those deviations;

“(F) a summary of all determinations made to provide awards to Indian economic enterprises, including a description of the dollar value of the awards;

“(G) a description or summary of the total number and value of all purchases of, and contracts awarded for, supplies, services, and construction (including the percentage increase or decrease, as compared to the preceding fiscal year) from—

“(i) Indian economic enterprises; and

“(ii) non-Indian economic enterprises; and

“(H) any administrative, procedural, legal, or other barriers to achieving the purposes of this section, together with recommendations for legislative or administrative actions to address those barriers.

“(e) GOALS.—Each agency shall establish an annual minimum percentage goal for procurement in compliance with this section.”

#### SEC. 5. NATIVE AMERICAN PROGRAMS ACT OF 1974.

(a) FINANCIAL ASSISTANCE FOR NATIVE AMERICAN PROJECTS.—Section 803 of the Native American Programs Act of 1974 (42 U.S.C. 2991b) is amended—

(1) by redesignating subsections (b) through (d) as subsections (c) through (e), respectively; and

(2) by inserting after subsection (a) the following:

“(b) ECONOMIC DEVELOPMENT.—

“(1) IN GENERAL.—The Commissioner may provide assistance under subsection (a) for projects relating to the purposes of this title to a Native community development financial institution, as defined by the Secretary of the Treasury.

“(2) PRIORITY.—With regard to not less than 50 percent of the total amount available for assistance under this section, the Commissioner shall give priority to any application seeking assistance for—

“(A) the development of a tribal code or court system for purposes of economic development, including commercial codes, training for court personnel, regulation pursuant to section 5 of the Act of August 15, 1876 (19 Stat. 200, chapter 289; 25 U.S.C. 261), and the development of nonprofit subsidiaries or other tribal business structures;

“(B) the development of a community development financial institution, including training and administrative expenses; or

“(C) the development of a tribal master plan for community and economic development and infrastructure.”

(b) TECHNICAL ASSISTANCE AND TRAINING.—Section 804 of the Native American Programs Act of 1974 (42 U.S.C. 2991c) is amended—

(1) in the matter preceding paragraph (1), by striking “The Commissioner” and inserting the following:

“(a) IN GENERAL.—The Commissioner”; and

(2) by adding at the end the following:

“(b) PRIORITY.—In providing assistance under subsection (a), the Commissioner shall give priority to any application described in section 803(b)(2).”

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended—

(1) by striking “803(d)” each place it appears and inserting “803(e)”; and

(2) in subsection (a), by striking “1999, 2000, 2001, and 2002” and inserting “2018 through 2022”.

Mr. McCONNELL. I ask unanimous consent that the committee-reported

amendments be withdrawn, the Hoeven substitute amendment at the desk be agreed to, and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendments were withdrawn.

The amendment (No. 2224) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. 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. 1116), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### KLAMATH TRIBE JUDGMENT FUND REPEAL ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 272, S. 1223.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1223) to repeal the Klamath Tribe Judgment Fund Act.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment, as follows:

(The part of the bill intended to be inserted is shown in *Italics*.)

S. 1223

*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 "Klamath Tribe Judgment Fund Repeal Act".

#### SEC. 2. REPEAL.

Public Law 89-224 (commonly known as the "Klamath Tribe Judgment Fund Act") (79 Stat. 897) is repealed.

#### SEC. 3. DISBURSEMENT OF REMAINING FUNDS.

*Notwithstanding any provision of Public Law 89-224 (79 Stat. 897) (as in effect on the day before the date of enactment of this Act) relating to the distribution or use of funds, as soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall disburse to the Klamath Tribe the balance of any funds that, on or before the date of enactment of this Act, were appropriated or deposited into the trust accounts for remaining legal fees and administration and per capita trust accounts, as identified by the Secretary of the Interior, under that Act (as in effect on the day before the date of enactment of this Act).*

Mr. McCONNELL. Mr. President, I ask unanimous consent that the com-

mittee-reported amendment be agreed to the bill, as amended, be considered read a third time and passed, and the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendment was agreed to.

The bill (S. 1223), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### JOHNSON-O'MALLEY SUPPLEMENTAL INDIAN EDUCATION PROGRAM MODERNIZATION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 295, S. 943.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 943) to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Johnson-O'Malley Supplemental Indian Education Program Modernization Act".*

#### SEC. 2. INDIAN EDUCATION PROGRAM STUDENT COUNT UPDATE.

*The Act of April 16, 1934 (25 U.S.C. 5342 et seq.) (commonly referred to as the Johnson-O'Malley Act) is amended by adding at the end the following:*

#### "SEC. 7. COMPUTATION OF STUDENT COUNT.

*"(a) DEFINITIONS.—For the purposes of this Act, the following definitions apply:*

*"(1) CONTRACTING PARTY.—The term 'contracting party' means an entity that has a contract through a program authorized under this Act.*

*"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that is eligible to apply for a contract for a supplemental or operational support program under this Act, as outlined in section 1.*

*"(3) EXISTING CONTRACTING PARTY.—The term 'existing contracting party' means a contracting party that has a contract under this Act that is in effect on the date of enactment of the JOM Modernization Act.*

*"(4) JOM MODERNIZATION ACT.—The term 'JOM Modernization Act' means the Johnson-O'Malley Supplemental Indian Education Program Modernization Act.*

*"(5) NEW CONTRACTING PARTY.—The term 'new contracting party' means an entity that enters into a contract under this Act after the date of enactment of the JOM Modernization Act.*

*"(6) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.*

*"(b) DETERMINATION OF THE NUMBER OF ELIGIBLE INDIAN STUDENTS.—*

*"(1) INITIAL DETERMINATIONS.—*

*"(A) IN GENERAL.—The Secretary shall make an initial determination of the number of eligible Indian students served or potentially served*

*by each eligible entity in accordance with subparagraph (B).*

*"(B) PROCESS FOR MAKING THE INITIAL DETERMINATION.—*

*"(i) PRELIMINARY REPORT.—Not later than 180 days after the date of enactment of the JOM Modernization Act, the Secretary shall publish a preliminary report describing the number of eligible Indian students served or potentially served by each eligible entity, using the most applicable and accurate data (as determined by the Secretary in consultation with eligible entities) from the fiscal year preceding the fiscal year for which the initial determination is to be made from—*

*"(I) the Bureau of the Census;*

*"(II) the National Center for Education Statistics; or*

*"(III) the Office of Indian Education of the Department of Education.*

*"(ii) DATA RECONCILIATION.—To improve the accuracy of the preliminary report described in clause (i) prior to publishing, the Secretary shall reconcile the data described in the preliminary report with—*

*"(I) each existing contracting party's data regarding the number of eligible Indian students served by the existing contracting party for the fiscal year preceding the fiscal year for which the initial determination is made; and*

*"(II) identifiable tribal enrollment information.*

*"(iii) COMMENT PERIOD.—After publishing the preliminary report under clause (i) in accordance with clause (ii), the Secretary shall establish a 60-day comment period to gain feedback about the preliminary report from eligible entities, which the Secretary shall take into consideration in preparing the final report described in clause (iv).*

*"(iv) FINAL REPORT.—Not later than 120 days after concluding the consultation described in clause (iii), the Secretary shall publish a final report on the initial determination of the number of eligible Indian students served or potentially served by each eligible entity, including justification for not including any feedback gained during such consultation, if applicable.*

*"(2) SUBSEQUENT ACADEMIC YEARS.—For each academic year following the fiscal year for which an initial determination is made under paragraph (1) to determine the number of eligible Indian students served or potentially served by a contracting party, the Secretary shall determine the number of eligible Indian students served by the contracting party based on the reported eligible Indian student count numbers identified through the reporting process described in subsection (c).*

*"(c) CONTRACTING PARTY STUDENT COUNT REPORTING COMPLIANCE.—*

*"(1) IN GENERAL.—For each academic year following the fiscal year for which an initial determination is made under subsection (b) to determine the number of eligible Indian students served or potentially served by a contracting party, the contracting party shall submit to the Secretary a report describing the number of eligible Indian students who were served using amounts allocated to such party under this Act during the previous fiscal year.*

*"(2) FAILURE TO COMPLY.—A contracting party that fails to submit a report under paragraph (1) shall receive no amounts under this Act for the fiscal year following the academic year for which the report should have been submitted.*

*"(3) NOTICE.—The Secretary shall provide contracting parties with timely information relating to—*

*"(A) initial and final reporting deadlines; and*

*"(B) the consequences of failure to comply outlined in paragraph (2).*

*"(4) TECHNICAL ASSISTANCE.—The Secretary, acting through the Director of the Bureau of Indian Education, shall provide technical assistance and training on compliance with the reporting requirements of this subsection to contracting parties.*



“(d) ANNUAL REPORT.—

“(1) IN GENERAL.—The Secretary shall prepare an annual report, including the most recent determination of the number of eligible Indian students served by each contracting party, recommendations on appropriate funding levels for the program based on such determination, and an assessment of the contracts under this Act that the Secretary—

“(A) may include in the budget request of the Department of the Interior for each fiscal year; and

“(B) shall submit to—

“(i) the Committee on Indian Affairs of the Senate;

“(ii) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the Senate;

“(iii) the Committee on Education and the Workforce of the House of Representatives; and

“(iv) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the House of Representatives.

“(2) MANNER OF PREPARATION.—The Secretary shall prepare the report under paragraph (1) in a manner so as to prevent or minimize new administrative burdens on contracting parties receiving funds under this Act.

“(e) HOLD HARMLESS.—

“(1) INITIAL HOLD HARMLESS.—

“(A) IN GENERAL.—Except as provided under subparagraph (B) and subject to subparagraphs (C) and (D), for a fiscal year, an existing contracting party shall not receive an amount under this Act that is less than the amount that such existing contracting party received under this Act for the fiscal year preceding the date of enactment of the JOM Modernization Act.

“(B) EXCEPTIONS.—

“(i) IN GENERAL.—An existing contracting party shall receive an amount under this Act for a fiscal year that is less than the amount that the existing contracting party received under this Act for the fiscal year preceding the date of enactment of the JOM Modernization Act, if 1 or more of the following conditions is met:

“(I) FAILURE TO REPORT.—The existing contracting party failed to submit the report described in subsection (c) that was most recently due from the date of the determination.

“(II) VIOLATIONS OF CONTRACT OR LAW.—The Secretary has found that the existing contracting party has violated the terms of a contract entered into under this Act or has otherwise violated Federal law.

“(III) STUDENT COUNT DECREASE.—The number of eligible Indian students reported by such existing contracting party under subsection (c) has decreased below the number of eligible Indian students served by the existing contracting party in the fiscal year preceding the date of enactment of the JOM Modernization Act.

“(ii) AMOUNT OF FUNDING REDUCTION FOR EXISTING CONTRACTING PARTIES REPORTING DECREASED STUDENT COUNTS.—A reduction in an amount pursuant to clause (i)(III) shall not be done in such a manner that the existing contracting party receives an amount of funding per eligible Indian student that is less than the amount of funding per eligible Indian student such party received for the fiscal year preceding the date of enactment of the JOM Modernization Act.

“(C) RATABLE REDUCTIONS IN APPROPRIATIONS.—If the funds available under this Act for a fiscal year are insufficient to pay the full amounts that all existing contracting parties are eligible to receive under subparagraph (A) for the fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

“(D) SUNSET.—This paragraph shall cease to be effective 4 years after the date of enactment of the JOM Modernization Act.

“(2) MAXIMUM DECREASE AFTER 4 YEARS.—Beginning 4 years after the date of enactment of the JOM Modernization Act, no contracting party shall receive for a fiscal year more than a 10 percent decrease in funding per eligible Indian student from the previous fiscal year.

“(f) FUNDING ALLOCATION AND REFORM.—

“(1) PRESENT DAY PER STUDENT FUNDING ALLOCATION.—Not later than 60 days after an initial determination is made under subsection (b), the Secretary shall propose, in consultation with Indian tribes and contracting parties, a present day per student funding allocation that shall serve as a funding baseline under this Act.

“(2) FUNDING REFORM.—The Secretary may make recommendations for legislation to increase the amount of funds available per eligible Indian student through contracts under this Act to equal to or greater than the amount of funds that were available per eligible Indian student through contracts under this Act for fiscal year 1995, and attempt to identify additional sources of funding that do not reallocate existing funds otherwise utilized by Indian students served—

“(A) by the Bureau of Indian Education; or

“(B) under title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7401 et seq.).

“(3) INCREASES IN PROGRAM FUNDING.—

“(A) IN GENERAL.—Subject to subsection (e) and subparagraph (B), for any fiscal year for which the amount appropriated to carry out this Act exceeds the amount appropriated to carry out this Act for the preceding fiscal year, the excess amounts shall—

“(i) be allocated only to those contracting parties that did not receive their full per student funding allocation for the previous fiscal year; and

“(ii) be allocated first to new contracting parties that did not receive their full per student funding allocation for the previous fiscal year.

“(B) PARITY IN FUNDING.—Subparagraph (A) shall have no effect after the first fiscal year for which each contracting party receives their full per student funding allocation.

“(g) INCREASED GEOGRAPHICAL AND TRIBAL PARTICIPATION IN THE JOHNSON-O'MALLEY SUPPLEMENTARY EDUCATION PROGRAM.—To the maximum extent practicable, the Secretary shall consult with Indian tribes and contact State educational agencies and local educational agencies that have not previously entered into a contract under this Act—

“(1) to determine the interest of the Indian tribes and State educational agencies and local educational agencies in entering into such contracts; and

“(2) to share information relating to the process for entering into a contract under this Act.

“(h) RULEMAKING.—

“(1) IN GENERAL.—Not later than one year after the date of enactment of the JOM Modernization Act, the Secretary, acting through the Director of the Bureau of Indian Education, shall undertake and complete a rulemaking process, following the provisions of subchapter II of chapter 5 of title 5, United States Code, to—

“(A) determine how the regulatory definition of ‘eligible Indian student’ may be revised to clarify eligibility requirements for contracting parties under this Act;

“(B) determine, as necessary, how the funding formula described in section 273.31 of title 25, Code of Federal Regulations (as in effect on the day before the date of enactment of the JOM Modernization Act) may be clarified and revised to ensure full participation of contracting parties and provide clarity on the funding process under this Act; and

“(C) otherwise reconcile and modernize the rules to comport with the activities of the contracting parties under this Act as of the date of enactment of the JOM Modernization Act.

“(2) REPORT.—Not later than 30 days after the date the rulemaking under paragraph (1) is complete, the Secretary shall submit a report to Congress describing the results of such rulemaking and necessary recommendations to ensure the full implementation of such rulemaking.

“(i) STUDENT PRIVACY.—The Secretary shall ensure that data is collected and each report is

prepared under this section in a manner that protects the rights of eligible Indian students in accordance with section 444 of the General Education Provisions Act (commonly referred to as the Family Educational Rights and Privacy Act of 1974) (20 U.S.C. 1232g).

“(j) GAO REPORT.—Not later than 18 months after the final report described in subsection (b)(1)(B)(iv) is published, the Comptroller General shall—

“(1) conduct a review of the implementation of this section during the preceding two-year period, including any factors impacting—

“(A) the accuracy of the determinations of the number of eligible Indian students under this section;

“(B) the communication between the Bureau of Indian Education and contracting parties; and

“(C) the efforts by the Bureau of Indian Education to ensure accurate and sufficient distribution of funding for Indian students;

“(2) submit a report describing the results of the review under paragraph (1) to—

“(A) the Committee on Indian Affairs of the Senate;

“(B) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the Senate;

“(C) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources of the House of Representatives; and

“(D) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

“(3) make such report publicly available.

“(k) EFFECT.—Nothing in this section—

“(1) creates a new program or duplicates program activities under this Act; or

“(2) replaces or diminishes the effect of regulations to carry out this Act existing on the day before the date of enactment of the JOM Modernization Act, unless expressly provided in this section.”

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Lankford amendment at the desk be considered and agreed to the committee-reported substitute amendment, as amended, be agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 2225) was agreed to, as follows:

(Purpose: To include Alaska Native organizations in consultations)

On page 27, strike lines 11 through 17.  
On page 27, line 18, strike “(2)” and insert “(1)”.

On page 28, line 7, strike “(3)” and insert “(2)”.

On page 29, lines 5 and 6, strike “and local educational agencies” and insert “, local educational agencies, and Alaska Native organizations”.

On page 29, lines 8 through 10, strike “Indian tribes and State educational agencies and local educational agencies” and insert “Indian tribes, State educational agencies, local educational agencies, and Alaska Native organizations”.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there any further debate?

The PRESIDING OFFICER. If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 943), as amended, was passed, as follows:

S. 943

*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 "Johnson-O'Malley Supplemental Indian Education Program Modernization Act".

#### SEC. 2. INDIAN EDUCATION PROGRAM STUDENT COUNT UPDATE.

The Act of April 16, 1934 (25 U.S.C. 5342 et seq.) (commonly referred to as the Johnson-O'Malley Act) is amended by adding at the end the following:

##### "SEC. 7. COMPUTATION OF STUDENT COUNT.

"(a) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

"(1) CONTRACTING PARTY.—The term 'contracting party' means an entity that has a contract through a program authorized under this Act.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that is eligible to apply for a contract for a supplemental or operational support program under this Act, as outlined in section 1.

"(3) EXISTING CONTRACTING PARTY.—The term 'existing contracting party' means a contracting party that has a contract under this Act that is in effect on the date of enactment of the JOM Modernization Act.

"(4) JOM MODERNIZATION ACT.—The term 'JOM Modernization Act' means the Johnson-O'Malley Supplemental Indian Education Program Modernization Act.

"(5) NEW CONTRACTING PARTY.—The term 'new contracting party' means an entity that enters into a contract under this Act after the date of enactment of the JOM Modernization Act.

"(6) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(b) DETERMINATION OF THE NUMBER OF ELIGIBLE INDIAN STUDENTS.—

"(1) INITIAL DETERMINATIONS.—

"(A) IN GENERAL.—The Secretary shall make an initial determination of the number of eligible Indian students served or potentially served by each eligible entity in accordance with subparagraph (B).

"(B) PROCESS FOR MAKING THE INITIAL DETERMINATION.—

"(i) PRELIMINARY REPORT.—Not later than 180 days after the date of enactment of the JOM Modernization Act, the Secretary shall publish a preliminary report describing the number of eligible Indian students served or potentially served by each eligible entity, using the most applicable and accurate data (as determined by the Secretary in consultation with eligible entities) from the fiscal year preceding the fiscal year for which the initial determination is to be made from—

"(I) the Bureau of the Census;

"(II) the National Center for Education Statistics; or

"(III) the Office of Indian Education of the Department of Education.

"(ii) DATA RECONCILIATION.—To improve the accuracy of the preliminary report described in clause (i) prior to publishing, the Secretary shall reconcile the data described in the preliminary report with—

"(I) each existing contracting party's data regarding the number of eligible Indian students served by the existing contracting party for the fiscal year preceding the fiscal year for which the initial determination is made; and

"(II) identifiable tribal enrollment information.

"(iii) COMMENT PERIOD.—After publishing the preliminary report under clause (i) in accordance with clause (ii), the Secretary shall establish a 60-day comment period to gain feedback about the preliminary report from eligible entities, which the Secretary shall take into consideration in preparing the final report described in clause (iv).

"(iv) FINAL REPORT.—Not later than 120 days after concluding the consultation described in clause (iii), the Secretary shall publish a final report on the initial determination of the number of eligible Indian students served or potentially served by each eligible entity, including justification for not including any feedback gained during such consultation, if applicable.

"(2) SUBSEQUENT ACADEMIC YEARS.—For each academic year following the fiscal year for which an initial determination is made under paragraph (1) to determine the number of eligible Indian students served or potentially served by a contracting party, the Secretary shall determine the number of eligible Indian students served by the contracting party based on the reported eligible Indian student count numbers identified through the reporting process described in subsection (c).

"(c) CONTRACTING PARTY STUDENT COUNT REPORTING COMPLIANCE.—

"(1) IN GENERAL.—For each academic year following the fiscal year for which an initial determination is made under subsection (b) to determine the number of eligible Indian students served or potentially served by a contracting party, the contracting party shall submit to the Secretary a report describing the number of eligible Indian students who were served using amounts allocated to such party under this Act during the previous fiscal year.

"(2) FAILURE TO COMPLY.—A contracting party that fails to submit a report under paragraph (1) shall receive no amounts under this Act for the fiscal year following the academic year for which the report should have been submitted.

"(3) NOTICE.—The Secretary shall provide contracting parties with timely information relating to—

"(A) initial and final reporting deadlines; and

"(B) the consequences of failure to comply outlined in paragraph (2).

"(4) TECHNICAL ASSISTANCE.—The Secretary, acting through the Director of the Bureau of Indian Education, shall provide technical assistance and training on compliance with the reporting requirements of this subsection to contracting parties.

"(d) ANNUAL REPORT.—

"(1) IN GENERAL.—The Secretary shall prepare an annual report, including the most recent determination of the number of eligible Indian students served by each contracting party, recommendations on appropriate funding levels for the program based on such determination, and an assessment of the contracts under this Act that the Secretary—

"(A) may include in the budget request of the Department of the Interior for each fiscal year; and

"(B) shall submit to—

"(i) the Committee on Indian Affairs of the Senate;

"(ii) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the Senate;

"(iii) the Committee on Education and the Workforce of the House of Representatives; and

"(iv) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the House of Representatives.

"(2) MANNER OF PREPARATION.—The Secretary shall prepare the report under para-

graph (1) in a manner so as to prevent or minimize new administrative burdens on contracting parties receiving funds under this Act.

"(e) HOLD HARMLESS.—

"(1) INITIAL HOLD HARMLESS.—

"(A) IN GENERAL.—Except as provided under subparagraph (B) and subject to subparagraphs (C) and (D), for a fiscal year, an existing contracting party shall not receive an amount under this Act that is less than the amount that such existing contracting party received under this Act for the fiscal year preceding the date of enactment of the JOM Modernization Act.

"(B) EXCEPTIONS.—

"(i) IN GENERAL.—An existing contracting party shall receive an amount under this Act for a fiscal year that is less than the amount that the existing contracting party received under this Act for the fiscal year preceding the date of enactment of the JOM Modernization Act, if 1 or more of the following conditions is met:

"(I) FAILURE TO REPORT.—The existing contracting party failed to submit the report described in subsection (c) that was most recently due from the date of the determination.

"(II) VIOLATIONS OF CONTRACT OR LAW.—The Secretary has found that the existing contracting party has violated the terms of a contract entered into under this Act or has otherwise violated Federal law.

"(III) STUDENT COUNT DECREASE.—The number of eligible Indian students reported by such existing contracting party under subsection (c) has decreased below the number of eligible Indian students served by the existing contracting party in the fiscal year preceding the date of enactment of the JOM Modernization Act.

"(ii) AMOUNT OF FUNDING REDUCTION FOR EXISTING CONTRACTING PARTIES REPORTING DECREASED STUDENT COUNTS.—A reduction in an amount pursuant to clause (i)(III) shall not be done in such a manner that the existing contracting party receives an amount of funding per eligible Indian student that is less than the amount of funding per eligible Indian student such party received for the fiscal year preceding the date of enactment of the JOM Modernization Act.

"(C) RATABLE REDUCTIONS IN APPROPRIATIONS.—If the funds available under this Act for a fiscal year are insufficient to pay the full amounts that all existing contracting parties are eligible to receive under subparagraph (A) for the fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

"(D) SUNSET.—This paragraph shall cease to be effective 4 years after the date of enactment of the JOM Modernization Act.

"(2) MAXIMUM DECREASE AFTER 4 YEARS.—Beginning 4 years after the date of enactment of the JOM Modernization Act, no contracting party shall receive for a fiscal year more than a 10 percent decrease in funding per eligible Indian student from the previous fiscal year.

"(f) FUNDING ALLOCATION AND REFORM.—

"(1) FUNDING REFORM.—The Secretary may make recommendations for legislation to increase the amount of funds available per eligible Indian student through contracts under this Act to equal to or greater than the amount of funds that were available per eligible Indian student through contracts under this Act for fiscal year 1995, and attempt to identify additional sources of funding that do not reallocate existing funds otherwise utilized by Indian students served—

"(A) by the Bureau of Indian Education; or

"(B) under title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7401 et seq.).

"(2) INCREASES IN PROGRAM FUNDING.—

“(A) IN GENERAL.—Subject to subsection (e) and subparagraph (B), for any fiscal year for which the amount appropriated to carry out this Act exceeds the amount appropriated to carry out this Act for the preceding fiscal year, the excess amounts shall—

“(i) be allocated only to those contracting parties that did not receive their full per student funding allocation for the previous fiscal year; and

“(ii) be allocated first to new contracting parties that did not receive their full per student funding allocation for the previous fiscal year.

“(B) PARITY IN FUNDING.—Subparagraph (A) shall have no effect after the first fiscal year for which each contracting party receives their full per student funding allocation.

“(g) INCREASED GEOGRAPHICAL AND TRIBAL PARTICIPATION IN THE JOHNSON-O’MALLEY SUPPLEMENTARY EDUCATION PROGRAM.—To the maximum extent practicable, the Secretary shall consult with Indian tribes and contact State educational agencies, local educational agencies, and Alaska Native organizations that have not previously entered into a contract under this Act—

“(1) to determine the interest of the Indian tribes, State educational agencies, local educational agencies, and Alaska Native organizations, in entering into such contracts; and

“(2) to share information relating to the process for entering into a contract under this Act.

“(h) RULEMAKING.—

“(1) IN GENERAL.—Not later than one year after the date of enactment of the JOM Modernization Act, the Secretary, acting through the Director of the Bureau of Indian Education, shall undertake and complete a rulemaking process, following the provisions of subchapter II of chapter 5 of title 5, United States Code, to—

“(A) determine how the regulatory definition of ‘eligible Indian student’ may be revised to clarify eligibility requirements for contracting parties under this Act;

“(B) determine, as necessary, how the funding formula described in section 273.31 of title 25, Code of Federal Regulations (as in effect on the day before the date of enactment of the JOM Modernization Act) may be clarified and revised to ensure full participation of contracting parties and provide clarity on the funding process under this Act; and

“(C) otherwise reconcile and modernize the rules to comport with the activities of the contracting parties under this Act as of the date of enactment of the JOM Modernization Act.

“(2) REPORT.—Not later than 30 days after the date the rulemaking under paragraph (1) is complete, the Secretary shall submit a report to Congress describing the results of such rulemaking and necessary recommendations to ensure the full implementation of such rulemaking.

“(i) STUDENT PRIVACY.—The Secretary shall ensure that data is collected and each report is prepared under this section in a manner that protects the rights of eligible Indian students in accordance with section 444 of the General Education Provisions Act (commonly referred to as the Family Educational Rights and Privacy Act of 1974) (20 U.S.C. 1232g).

“(j) GAO REPORT.—Not later than 18 months after the final report described in subsection (b)(1)(B)(iv) is published, the Comptroller General shall—

“(1) conduct a review of the implementation of this section during the preceding two-year period, including any factors impacting—

“(A) the accuracy of the determinations of the number of eligible Indian students under this section;

“(B) the communication between the Bureau of Indian Education and contracting parties; and

“(C) the efforts by the Bureau of Indian Education to ensure accurate and sufficient distribution of funding for Indian students;

“(2) submit a report describing the results of the review under paragraph (1) to—

“(A) the Committee on Indian Affairs of the Senate;

“(B) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the Senate;

“(C) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources of the House of Representatives; and

“(D) the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

“(3) make such report publicly available.

“(k) EFFECT.—Nothing in this section—

“(1) creates a new program or duplicates program activities under this Act; or

“(2) replaces or diminishes the effect of regulations to carry out this Act existing on the day before the date of enactment of the JOM Modernization Act, unless expressly provided in this section.”

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### CHILDHOOD CANCER STAR ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 342, S. 292.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 292) to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, 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 “Childhood Cancer Survivorship, Treatment, Access, and Research Act of 2018” or the “Childhood Cancer Star Act”.

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

Sec. 1. Short title; table of contents.

#### TITLE I—MAXIMIZING RESEARCH THROUGH DISCOVERY

##### Subtitle A—Caroline Pryce Walker Conquer Childhood Cancer Reauthorization Act

Sec. 101. Children’s cancer biorepositories and biospecimen research.

Sec. 102. Improving Childhood Cancer Surveillance.

##### Subtitle B—Pediatric Expertise at NIH

Sec. 111. Inclusion of at least one pediatric oncologist on the National Cancer Advisory Board.

Sec. 112. Sense of Congress regarding pediatric expertise at the National Cancer Institute.

#### Subtitle C—NIH Reporting on Childhood Cancer Activities

Sec. 121. Reporting on childhood cancer research projects.

#### TITLE II—MAXIMIZING DELIVERY: CARE, QUALITY OF LIFE, SURVIVORSHIP, AND CAREGIVER SUPPORT

Sec. 201. Cancer survivorship programs.

Sec. 202. Grants to improve care for pediatric cancer survivors.

Sec. 203. Best practices for long-term follow-up services for pediatric cancer survivors.

Sec. 204. Technical amendment.

#### TITLE I—MAXIMIZING RESEARCH THROUGH DISCOVERY

##### Subtitle A—Caroline Pryce Walker Conquer Childhood Cancer Reauthorization Act

#### SEC. 101. CHILDREN’S CANCER BIOREPOSITORIES AND BIOSPECIMEN RESEARCH.

Section 417E of the Public Health Service Act (42 U.S.C. 285a–11) is amended—

(1) in the section heading, by striking “RESEARCH AND AWARENESS” and inserting “RESEARCH, AWARENESS, AND SURVIVORSHIP”;

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

“(a) CHILDREN’S CANCER BIOREPOSITORIES.—

“(1) AWARD.—The Secretary, acting through the Director of NIH, may make awards to an entity or entities described in paragraph (4) to build upon existing research efforts to collect biospecimens and clinical and demographic information of children, adolescents, and young adults with selected cancer subtypes (and their recurrences) for which current treatments are least effective, in order to achieve a better understanding of the causes of such cancer subtypes (and their recurrences), and the effects and outcomes of treatments for such cancers.

“(2) USE OF FUNDS.—Amounts received under an award under paragraph (1) may be used to carry out the following:

“(A) Collect and store high-quality, donated biospecimens and associated clinical and demographic information on children, adolescents, and young adults diagnosed with cancer in the United States, focusing on children, adolescents, and young adults with cancer enrolled in clinical trials for whom current treatments are least effective. Activities under this subparagraph may include storage of biospecimens and associated clinical and demographic data at existing biorepositories supported by the National Cancer Institute.

“(B) Maintain an interoperable, secure, and searchable database on stored biospecimens and associated clinical and demographic data from children, adolescents, and young adults with cancer for the purposes of research by scientists and qualified health care professionals.

“(C) Establish and implement procedures for evaluating applications for access to such biospecimens and clinical and demographic data from researchers and other qualified health care professionals.

“(D) Provide access to biospecimens and clinical and demographic data from children, adolescents, and young adults with cancer to researchers and qualified health care professionals for peer-reviewed research—

“(i) consistent with the procedures established pursuant to subparagraph (C);

“(ii) only to the extent permitted by applicable Federal and State law; and

“(iii) in a manner that protects personal privacy to the extent required by applicable Federal and State privacy law, at minimum.

“(3) NO REQUIREMENT.—No child, adolescent, or young adult with cancer shall be required under this subsection to contribute a specimen to a biorepository or share clinical or demographic data.

“(4) APPLICATION; CONSIDERATIONS.—

“(A) APPLICATION.—To be eligible to receive an award under paragraph (1) an entity shall

submit an application to the Secretary at such a time, in such manner, and containing such information as the Secretary may reasonably require.

“(B) **CONSIDERATIONS.**—In evaluating applications submitted under subparagraph (A), the Secretary shall consider the existing infrastructure of the entity that would allow for the timely capture of biospecimens and related clinical and demographic information for children, adolescents, and young adults with cancer for whom current treatments are least effective.

“(5) **PRIVACY PROTECTIONS AND INFORMED CONSENT.**—

“(A) **IN GENERAL.**—The Secretary may not make an award under paragraph (1) to an entity unless the Secretary ensures that such entity—

“(i) collects biospecimens and associated clinical and demographic information only from participants who have given their informed consent in accordance with Federal and State law; and

“(ii) protects personal privacy to the extent required by applicable Federal and State law, at minimum.

“(B) **INFORMED CONSENT.**—The Secretary shall ensure biospecimens and associated clinical and demographic information are collected with informed consent, as described in subparagraph (A)(i).

“(6) **GUIDELINES AND OVERSIGHT.**—The Secretary shall develop and disseminate appropriate guidelines for the development and maintenance of the biorepositories supported under this subsection, including appropriate oversight, to facilitate further research on select cancer subtypes (and their recurrences) in children, adolescents, and young adults with such cancers (and their recurrences).

“(7) **COORDINATION.**—To encourage the greatest possible efficiency and effectiveness of federally supported efforts with respect to the activities described in this subsection, the Secretary shall ensure the appropriate coordination of programs supported under this section with existing federally supported cancer registry programs and the activities under section 399E-1, as appropriate.

“(8) **SUPPLEMENT NOT SUPPLANT.**—Funds provided under this subsection shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this subsection.

“(9) **REPORT.**—Not later than 4 years after the date of enactment of the Childhood Cancer Survivorship, Treatment, Access, and Research Act of 2018, the Secretary shall submit to Congress a report on—

“(A) the number of biospecimens and corresponding clinical demographic data collected through the biospecimen research efforts supported under paragraph (1);

“(B) the number of biospecimens and corresponding clinical demographic data requested for use by researchers;

“(C) barriers to the collection of biospecimens and corresponding clinical demographic data;

“(D) barriers experienced by researchers or health care professionals in accessing the biospecimens and corresponding clinical demographic data necessary for use in research; and

“(E) recommendations with respect to improving the biospecimen and biorepository research efforts under this subsection.

“(10) **DEFINITIONS.**—For purposes of this subsection:

“(A) **AWARD.**—The term ‘award’ includes a grant, contract, or cooperative agreement determined by the Secretary.

“(B) **BIOSPECIMEN.**—The term ‘biospecimen’ includes—

“(i) solid tumor tissue or bone marrow;

“(ii) normal or control tissue;

“(iii) blood and plasma;

“(iv) DNA and RNA extractions;

“(v) familial DNA; and

“(vi) any other sample relevant to cancer research, as required by the Secretary.

“(C) **CLINICAL AND DEMOGRAPHIC INFORMATION.**—The term ‘clinical and demographic information’ includes—

“(i) date of diagnosis;

“(ii) age at diagnosis;

“(iii) the patient’s sex, race, ethnicity, and environmental exposures;

“(iv) extent of disease at enrollment;

“(v) site of metastases;

“(vi) location of primary tumor coded;

“(vii) histologic diagnosis;

“(viii) tumor marker data when available;

“(ix) treatment and outcome data;

“(x) information related to specimen quality; and

“(xi) any other applicable information required by the Secretary.”; and

(3) in subsection (c), by striking “(42 U.S.C. 202 note)”.

**SEC. 102. IMPROVING CHILDHOOD CANCER SURVEILLANCE.**

(a) **IN GENERAL.**—Section 399E-1 of the Public Health Service Act (42 U.S.C. 280e-3a) is amended—

(1) in subsection (a)—

(A) by striking “shall award a grant” and inserting “may make awards to State cancer registries”; and

(B) by striking “track the epidemiology of pediatric cancer into a comprehensive nationwide registry of actual occurrences of pediatric cancer” and inserting “collect information to better understand the epidemiology of cancer in children, adolescents, and young adults”; and

(C) by striking the second sentence and inserting “Such registries may be updated to include each occurrence of such cancers within a period of time designated by the Secretary.”;

(2) by redesignating subsection (b) as subsection (d);

(3) by inserting after subsection (a) the following:

“(b) **ACTIVITIES.**—The grants described in subsection (a) may be used for—

“(1) identifying, recruiting, and training potential sources for reporting childhood, adolescent, and young adult cancer cases;

“(2) developing practices to ensure early inclusion of childhood, adolescent, and young adult cancer cases in State cancer registries through the use of electronic reporting;

“(3) collecting and submitting deidentified data to the Centers for Disease Control and Prevention for inclusion in a national database that includes information on childhood, adolescent, and young adult cancers; and

“(4) improving State cancer registries and the database described in paragraph (3), as appropriate, including to support the early inclusion of childhood, adolescent, and young adult cancer cases.

“(c) **COORDINATION.**—To encourage the greatest possible efficiency and effectiveness of federally supported efforts with respect to the activities described in this section, the Secretary shall ensure the appropriate coordination of programs supported under this section with other federally supported cancer registry programs and the activities under section 417E(a), as appropriate.”; and

(4) in subsection (d), as so redesignated, by striking “registry established pursuant to subsection (a)” and inserting “activities described in this section”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 417E(d) of the Public Health Service Act (42 U.S.C. 285a-11(d)) is amended—

(1) by striking “2009 through 2013” and inserting “2019 through 2023”; and

(2) by striking the second sentence.

**Subtitle B—Pediatric Expertise at NIH**

**SEC. 111. INCLUSION OF AT LEAST ONE PEDIATRIC ONCOLOGIST ON THE NATIONAL CANCER ADVISORY BOARD.**

Clause (iii) of section 406(h)(2)(A) of the Public Health Service Act (42 U.S.C. 284a(h)(2)(A)) is amended—

(1) by striking “Board not less than five” and inserting “Board—

“(1) not less than 5”;

(2) by inserting “and” after the semicolon; and

(3) by adding at the end the following:

“(II) not less than one member shall be an individual knowledgeable in pediatric oncology.”.

**SEC. 112. SENSE OF CONGRESS REGARDING PEDIATRIC EXPERTISE AT THE NATIONAL CANCER INSTITUTE.**

It is the sense of Congress that the Director of the National Cancer Institute should ensure that all applicable study sections, committees, advisory groups, and panels at the National Cancer Institute include one or more qualified pediatric oncologists, as appropriate.

**Subtitle C—NIH Reporting on Childhood Cancer Activities**

**SEC. 121. REPORTING ON CHILDHOOD CANCER RESEARCH PROJECTS.**

The Director of the National Institutes of Health shall ensure that childhood cancer research projects conducted or supported by the National Institutes of Health are included in appropriate reports to Congress, which may include the Pediatric Research Initiative report.

**TITLE II—MAXIMIZING DELIVERY: CARE, QUALITY OF LIFE, SURVIVORSHIP, AND CAREGIVER SUPPORT**

**SEC. 201. CANCER SURVIVORSHIP PROGRAMS.**

(a) **PILOT PROGRAMS TO EXPLORE MODEL SYSTEMS OF CARE FOR PEDIATRIC CANCER SURVIVORS.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) may make awards to eligible entities to establish pilot programs to develop, study, or evaluate model systems for monitoring and caring for childhood cancer survivors throughout their lifespan, including evaluation of models for transition to adult care and care coordination.

(2) **AWARDS.**—

(A) **TYPES OF ENTITIES.**—In making awards under this subsection, the Secretary shall, to the extent practicable, include—

(i) small, medium, and large-sized eligible entities; and

(ii) sites located in different geographic areas, including rural and urban areas.

(B) **ELIGIBLE ENTITIES.**—In this subsection, the term “eligible entity” means—

(i) a medical school;

(ii) a children’s hospital;

(iii) a cancer center;

(iv) a community-based medical facility; or

(v) any other entity with significant experience and expertise in treating survivors of childhood cancers.

(3) **USE OF FUNDS.**—Funds awarded under this subsection may be used—

(A) to develop, study, or evaluate one or more models for monitoring and caring for cancer survivors; and

(B) in developing, studying, and evaluating such models, to give special emphasis to—

(i) design of models of follow-up care, monitoring, and other survivorship programs (including peer support and mentoring programs);

(ii) development of models for providing multidisciplinary care;

(iii) dissemination of information to health care providers about culturally and linguistically appropriate follow-up care for cancer survivors and their families, as appropriate and practicable;

(iv) development of psychosocial and support programs to improve the quality of life of cancer survivors and their families, which may include peer support and mentoring programs;

(v) design of systems for the effective transfer of treatment information and care summaries from cancer care providers to other health care providers (including risk factors and a plan for recommended follow-up care);

(vi) dissemination of the information and programs described in clauses (i) through (v) to

other health care providers (including primary care physicians and internists) and to cancer survivors and their families, where appropriate and in accordance with Federal and State law; and

(vii) development of initiatives that promote the coordination and effective transition of care between cancer care providers, primary care physicians, mental health professionals, and other health care professionals, as appropriate, including models that use a team-based or multi-disciplinary approach to care.

(b) **WORKFORCE DEVELOPMENT FOR HEALTH CARE PROVIDERS ON MEDICAL AND PSYCHOSOCIAL CARE FOR CHILDHOOD CANCER SURVIVORS.**—

(1) **IN GENERAL.**—The Secretary shall, not later than 1 year after the date of enactment of this Act, conduct a review of the activities of the Department of Health and Human Services related to workforce development for health care providers who treat pediatric cancer patients and survivors. Such review shall include—

(A) an assessment of the effectiveness of supportive psychosocial care services for pediatric cancer patients and survivors, including pediatric cancer survivorship care patient navigators and peer support programs;

(B) identification of existing models relevant to providing medical and psychosocial services to individuals surviving pediatric cancers, and programs related to training for health professionals who provide such services to individuals surviving pediatric cancers; and

(C) recommendations for improving the provision of psychosocial care for pediatric cancer survivors and patients.

(2) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and Committee on Energy and Commerce of the House of Representatives, a report concerning the findings and recommendations from the review conducted under paragraph (1).

**SEC. 202. GRANTS TO IMPROVE CARE FOR PEDIATRIC CANCER SURVIVORS.**

(a) **IN GENERAL.**—Section 417E of the Public Health Service Act (42 U.S.C. 285a–11), as amended by section 101, is further amended by striking subsection (b) and inserting the following:

“(b) **IMPROVING CARE FOR PEDIATRIC CANCER SURVIVORS.**—

“(1) **RESEARCH ON PEDIATRIC CANCER SURVIVORSHIP.**—The Director of NIH, in coordination with ongoing research activities, may continue to conduct or support pediatric cancer survivorship research including in any of the following areas:

“(A) Outcomes of pediatric cancer survivors, including within minority or other medically underserved populations and with respect to health disparities of such outcomes.

“(B) Barriers to follow-up care for pediatric cancer survivors, including within minority or other medically underserved populations.

“(C) The impact of relevant factors, which may include familial, socioeconomic, and other environmental factors, on treatment outcomes and survivorship.

“(D) The development of indicators used for long-term follow-up and analysis of the late effects of cancer treatment for pediatric cancer survivors.

“(E) The identification of, as applicable—

“(i) risk factors associated with the late effects of cancer treatment;

“(ii) predictors of adverse neurocognitive and psychosocial outcomes; and

“(iii) the molecular basis of long-term complications.

“(F) The development of targeted interventions to reduce the burden of morbidity borne by cancer survivors in order to protect such cancer survivors from the late effects of cancer.

“(2) **BALANCED APPROACH.**—In conducting or supporting research under paragraph (1)(A)(i)

on pediatric cancer survivors within minority or other medically underserved populations, the Director of NIH shall ensure that such research addresses both the physical and the psychological needs of such survivors, as appropriate.”.

**SEC. 203. BEST PRACTICES FOR LONG-TERM FOLLOW-UP SERVICES FOR PEDIATRIC CANCER SURVIVORS.**

The Secretary of Health and Human Services may facilitate the identification of best practices for childhood and adolescent cancer survivorship care, and, as appropriate, may consult with individuals who have expertise in late effects of disease and treatment of childhood and adolescent cancers, which may include—

(1) oncologists, which may include pediatric oncologists;

(2) primary care providers engaged in survivorship care;

(3) survivors of childhood and adolescent cancer;

(4) parents of children and adolescents who have been diagnosed with and treated for cancer and parents of long-term survivors;

(5) nurses and social workers;

(6) mental health professionals;

(7) allied health professionals, including physical therapists and occupational therapists; and

(8) others, as the Secretary determines appropriate.

**SEC. 204. TECHNICAL AMENDMENT.**

(a) **IN GENERAL.**—Section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541) is amended by striking “section 419C” and inserting “section 417C”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect as if included in section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541).

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment 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 committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 292), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**SUPPORTING GRANDPARENTS RAISING GRANDCHILDREN ACT**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 343, S. 1091.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1091) to establish a Federal Task Force to Support Grandparents Raising Grandchildren.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Supporting Grandparents Raising Grandchildren Act”.

**SEC. 2. FEDERAL TASK FORCE TO SUPPORT GRANDPARENTS RAISING GRANDCHILDREN.**

(a) **ESTABLISHMENT.**—There is established a Federal Task Force to Support Grandparents Raising Grandchildren (referred to in this section as the “Task Force”).

(b) **OLDER RELATIVE CAREGIVER.**—In this section, the term “older relative caregiver” has the meaning given the term under section 372(a)(3) of the National Family Caregiver Support (42 U.S.C. 3030s(a)(3)).

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Task Force shall be composed of the following members, or their designee:

(A) The Secretary of Health and Human Services.

(B) The Attorney General.

(C) The Administrator of the Administration for Community Living.

(D) The Director of the Centers for Disease Control and Prevention.

(E) The Assistant Secretary for Mental Health and Substance Use.

(F) The Assistant Secretary for the Administration for Children and Families.

(G) The Director of the Indian Health Service.

(H) The Administrator of the Centers for Medicare & Medicaid Services.

(I) The head of each Federal department, agency, or other governmental entity identified by the Secretary of Health and Human Services as having responsibilities, or administering programs, relating to the current health, educational, nutritional, and other needs and current issues affecting older relative caregivers, including grandparents, raising children in their care.

(J) A grandparent raising a grandchild or grandchildren as well as another older relative caregiver of children.

(2) **LEAD AGENCY.**—The Department of Health and Human Services shall be the lead agency for the Task Force.

(d) **DUTIES.**—

(1) **IN GENERAL.**—

(A) **INFORMATION.**—The Task Force shall identify, coordinate, and disseminate information publicly about Federal information, resources, and best practices available, on the date of the determination, to help older relative caregivers, including grandparents, raising children in their care, including those raising children in their care as a result of the opioid crisis, meet the health, educational, nutritional, and other needs of the children in their care as well as maintain their own physical and mental health and emotional well-being.

(B) **NATIVE AMERICANS.**—In carrying out the duties described in subparagraph (A), the Task Force shall ensure that the needs of Native Americans (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) are considered.

(2) **REPORT.**—

(A) **IN GENERAL.**—Not later than 360 days after the date of enactment of this Act, the Task Force shall submit a report to the Special Committee on Aging, the Committee on Health, Education, Labor, and Pensions, and the Committee on Finance of the Senate and the Committee on Education and the Workforce, the Committee on Energy and Commerce, and the Committee on Ways and Means of the House of Representatives that includes—

(i) best practices, resources, and other useful information for older relative caregivers, including grandparents, raising children in their care; and

(ii) an identification of the gaps in needs of older relative caregivers, including grandparents, raising children in their care.

(B) **FINAL REPORT.**—Not later than 4 years after the date of enactment of this Act, the Task Force shall submit a final report to the Special Committee on Aging, the Committee on Health, Education, Labor, and Pensions, and the Committee on Finance of the Senate and the Committee on Education and the Workforce, the

Committee on Energy and Commerce, and the Committee on Ways and Means of the House of Representatives that includes the final findings of the Task Force, recommendations for future actions to address issues faced by older relative caregivers, including grandparents, raising children in their care, and any other useful information.

(3) *PROCESS FOR PUBLIC INPUT.*—The Task Force shall establish a process for public input to inform the identification of, and updates to, the best practices, resources, and other useful information and the gaps in needs described in paragraph (2), including a process for the public to submit recommendations to the Task Force and an opportunity for public comment.

(e) *SUNSET.*—The Task Force shall terminate on the date that is 5 years after the date of enactment of this Act.

(f) *NONAPPLICABILITY OF FACA.*—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

(g) *FUNDING.*—No additional funds are authorized to be appropriated to carry out this section. The Task Force shall be carried out with funds otherwise appropriated.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be 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 agreed to.

The bill (S. 1091), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### NATIONAL CACFP WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 405.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 405) designating the third week of March 2018 as "National CACFP Week."

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.

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

The resolution (S. Res. 405) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in the RECORD of February 13, 2018, under "Submitted Resolutions.")

#### RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 445, S. Res. 446, S. Res. 447, S. Res. 448, and S. Res. 449.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

#### PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 1625

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 116, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 116) providing for a correction in the enrollment of H.R. 1625.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. I ask unanimous consent that the amendment at the desk be agreed to, the concurrent resolution, as amended, be agreed to, and 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 amendment (No. 2226) was agreed to, as follows:

At the end add the following:  
"On page 749, line 12, strike 'and' through line 14 'are' and insert 'is'"

The concurrent resolution (H. Con. Res. 116), as amended, was agreed to.

The PRESIDING OFFICER. The majority leader.

#### QUORUM CALL

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 1 Leg.]

Cornyn	Johnson	McConnell
Daines	King	Risch
Johnson	Leahy	

The PRESIDING OFFICER. A quorum is not present.

The majority leader.

Mr. MCCONNELL. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion of the Senator from Kentucky.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 91, nays 6, as follows:

[Rollcall Vote No. 61 Leg.]

#### YEAS—91

Baldwin	Graham	Paul
Barrasso	Grassley	Perdue
Bennet	Harris	Peters
Blumenthal	Hassan	Portman
Blunt	Hatch	Reed
Booker	Heinrich	Risch
Boozman	Heitkamp	Roberts
Brown	Heller	Rounds
Cantwell	Hirono	Sanders
Capito	Hoeven	Sasse
Cardin	Inhofe	Schatz
Carper	Isakson	Schumer
Casey	Johnson	Scott
Cochran	Jones	Shaheen
Collins	Kaine	Shelby
Coons	Kennedy	Smith
Cornyn	King	Stabenow
Cortez Masto	Klobuchar	Sullivan
Crapo	Lankford	Tester
Cruz	Leahy	Thune
Daines	Manchin	Tillis
Donnelly	Markey	Udall
Duckworth	McCaskill	Van Hollen
Durbin	McConnell	Warner
Enzi	Menendez	Warren
Ernst	Merkley	Whitehouse
Feinstein	Moran	Wicker
Fischer	Murkowski	Wyden
Flake	Murphy	Young
Gardner	Murray	
Gillibrand	Nelson	

#### NAYS—6

Alexander	Corker	Lee
Cassidy	Cotton	Rubio

#### NOT VOTING—3

Burr	McCain	Toomey
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The motion was agreed to.

The PRESIDING OFFICER (Mr. DAINES). A quorum is present.

The majority leader.

#### TARGETED REWARDS FOR THE GLOBAL EDUCATION OF HUMAN TRAFFICKING—Continued

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate now vote on the motion to invoke cloture

on the motion to concur in the House amendment to the Senate amendment to H.R. 1625; further, that if cloture is invoked, all postcloture time be yielded back and Senator LEE or his designee be recognized to make a budget point of order; that the majority leader or his designee be recognized to make a motion to waive; and that following the disposition of the motion to waive, the Senate vote on the motion to concur with further amendment with no other intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. CORKER. Mr. President, reserving the right to object, the House sent a bill over today a little after 1 o'clock, and it is 11:56 p.m. I know that every Senator here has the right to object, and I assume some people have objected to voting.

We are not going to close. I had called down earlier and asked the Secretary if we are not going to vote by 10 o'clock, if we could just vote at 8 o'clock in the morning. This is ridiculous. It is juvenile. This is a juvenile process that we go through every time we do one of these.

I would respectfully ask our leader, who has been dealing with a lot today—and I am glad that he has the job he has and I don't, and the Secretary has the job that she has and I don't—could you explain to us what has occurred over the last 11 hours that keeps us here voting on a bill that we all know is going to pass, regardless of how we vote on it and that has kept us from just going ahead and voting?

Could you explain to the body, just very quickly, what has happened? And could we in the future possibly try to resolve these things at a decent hour, or come back the next morning and vote?

Mr. MCCONNELL. I would say to my good friend from Tennessee—by the way, I am very sorry he has decided to leave the Senate, given how much he has obviously enjoyed it today.

Mr. CORKER. The changes that have occurred at the White House in the last several hours, and this—it has been an unusual day, I will say.

Mr. MCCONNELL. Well, my good friend from Tennessee knows that my principal responsibility is begging, pleading, and cajoling. I have been in continuous discussions, shall I say, with several of our Members who were legitimately unhappy about one aspect or another, and they spent a lot of time thinking over whether or not they wanted to expedite the process. I must say, after a long and intense day of such discussions with several of our Members who have legitimate concerns, I am relieved, rather than depressed, that we might be able to actually finish tonight.

Mr. CORKER. Well, if I could, reserving the right to object, I would like for us to have some degree of discussion about this in the future—either to finish our business at a normal time or to

come back the next morning. This is a ridiculous process that we go through where people extort us until we get so tired that we are willing to do whatever it is they wish for us to do.

I don't know what the issues were today. For instance, I would love to have a week's debate on an AUMF at some point. Now, I can hold this vote up on a legitimate issue and say: No, we are not going to vote until you agree that we are going to have an AUMF debate. I haven't done that. To my knowledge, I have never in my life held a vote up. Maybe I did 10 years ago and I can't remember.

But I just think that, again, we ought to have a little more certainty around here. I appreciate that people have flights in the morning and that there are some codels going out. So I am not going to object.

However, I am going to discuss with other Members, whether in the future, if we cannot finish our business at a reasonable hour, let's just come back the next morning and start.

With that, I do not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1625.

Mitch McConnell, John Cornyn, Susan M. Collins, Lamar Alexander, Pat Roberts, Orrin G. Hatch, David Perdue, Lindsey Graham, Thom Tillis, Lisa Murkowski, Shelley Moore Capito, Richard Burr, Mike Rounds, John Hoeven, Rob Portman, John Boozman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1625, an act to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. TOOMEY).

The PRESIDING OFFICER (Mr. PERDUE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 30, as follows:

[Rollcall Vote No. 62 Leg.]

YEAS—67

Alexander	Heinrich	Portman
Baldwin	Heitkamp	Reed
Bennet	Heller	Roberts
Blumenthal	Hirono	Rounds
Blunt	Hoeven	Rubio
Boozman	Inhofe	Schatz
Brown	Isakson	Schumer
Cantwell	Jones	Scott
Capito	Kaine	Shaheen
Cardin	King	Shelby
Carper	Klobuchar	Smith
Casey	Lankford	Stabenow
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Cornyn	McConnell	Udall
Cortez Masto	Menendez	Van Hollen
Donnelly	Moran	Warner
Duckworth	Murkowski	Whitehouse
Ernst	Murphy	Wyden
Graham	Murray	Young
Hassan	Nelson	
Hatch	Peters	

NAYS—30

Barrasso	Feinstein	McCaskill
Booker	Fischer	Merkley
Cassidy	Flake	Paul
Corker	Gardner	Perdue
Cotton	Gillibrand	Risch
Crapo	Grassley	Sanders
Cruz	Harris	Sasse
Daines	Johnson	Sullivan
Durbin	Kennedy	Warren
Enzi	Lee	Wicker

NOT VOTING—3

Burr	McCain	Toomey
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The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 30.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer falls.

The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to withdraw the motion to concur with further amendment and the Senate now vote on the motion to concur.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON MOTION TO CONCUR

The question now occurs on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 1625.

Mr. ROUNDS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted "nay".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to Vote?

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 63 Leg.]

## YEAS—65

Alexander	Hatch	Portman
Baldwin	Heinrich	Reed
Bennet	Heitkamp	Roberts
Blumenthal	Heller	Rounds
Blunt	Hirono	Rubio
Boozman	Hoeven	Schatz
Brown	Inhofe	Schumer
Cantwell	Isakson	Scott
Capito	Jones	Shaheen
Cardin	Kaine	Shelby
Carper	King	Smith
Casey	Klobuchar	Stabenow
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	McConnell	Udall
Cornyn	Menendez	Van Hollen
Cortez Masto	Moran	Warner
Donnelly	Murkowski	Whitehouse
Duckworth	Murphy	Wicker
Durbin	Murray	Wyden
Graham	Nelson	Young
Hassan	Peters	

## NAYS—32

Barrasso	Fischer	McCaskill
Booker	Flake	Merkley
Cassidy	Gardner	Paul
Corker	Gillibrand	Perdue
Cotton	Grassley	Risch
Crapo	Harris	Sanders
Cruz	Johnson	Sasse
Daines	Kennedy	Sullivan
Enzi	Lankford	Tillis
Ernst	Lee	Warren
Feinstein	Markey	

## NOT VOTING—3

Burr	McCain	Toomey
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The motion was agreed to.  
The PRESIDING OFFICER. The majority leader.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 539.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Claria Horn Boom, of Kentucky, to be United States District Judge for the Eastern and Western Districts of Kentucky.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Claria Horn Boom, of Kentucky, to be United States District Judge for the Eastern and Western Districts of Kentucky.

Mitch McConnell, Jerry Moran, John Cornyn, John Hoeven, John Kennedy, Johnny Isakson, Chuck Grassley, Cory Gardner, James E. Risch, Thom Tillis, Pat Roberts, David Perdue, Mike Rounds, John Thune, Roy Blunt, Richard Burr, Tom Cotton.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 728.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John F. Ring, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2022.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John F. Ring, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2022.

Mitch McConnell, Mike Crapo, John Thune, Pat Roberts, David Perdue, Michael B. Enzi, Lamar Alexander, John Boozman, Thom Tillis, James M. Inhofe, John Hoeven, Mike Rounds, John Cornyn, Richard Burr, Tim Scott, John Barrasso, Jerry Moran.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 605.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor.

Mitch McConnell, Richard Burr, Mike Crapo, John Thune, Pat Roberts, David Perdue, Michael B. Enzi, Lamar Alexander, John Boozman, Thom Tillis, Tim Scott, James M. Inhofe, John Hoeven, Mike Rounds, John Cornyn, John Barrasso, Jerry Moran.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 666.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

Mitch McConnell, Jerry Moran, Deb Fischer, John Barrasso, Johnny Isakson, Thom Tillis, Roy Blunt, Mike Rounds, Steve Daines, James M. Inhofe, Shelley Moore Capito, John Cornyn, John Boozman, John Thune, Roger F. Wicker, John Hoeven.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.



## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 540.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John W. Broomes, of Kansas, to be United States District Judge for the District of Kansas.

## CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John W. Broomes, of Kansas, to be United States District Judge for the District of Kansas.

Mitch McConnell, John Hoeven, John Kennedy, Johnny Isakson, Cory Gardner, John Cornyn, James E. Risch, Thom Tillis, Pat Roberts, Jerry Moran, David Perdue, Mike Rounds, John Thune, Roy Blunt, Richard Burr, Tom Cotton, Jeff Flake.

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 541.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Rebecca Grady Jennings, of Kentucky, to be United States District Judge for the Western District of Kentucky.

## CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the nomination of Rebecca Grady Jennings, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Mitch McConnell, John Hoeven, John Kennedy, Johnny Isakson, Jerry Moran, Cory Gardner, John Cornyn, James E. Risch, Thom Tillis, Pat Roberts, David Perdue, Mike Rounds, John Thune, Roy Blunt, Richard Burr, Tom Cotton, Jeff Flake.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The PRESIDING OFFICER. The Senator from Wisconsin.

## UNANIMOUS CONSENT REQUEST—H.R. 5247

Mr. JOHNSON. Mr. President, I realize the hour is late. I will move quickly to my unanimous consent request, but I want to quickly state that this is so important that this can't wait, and I am really asking a pretty simple request of my colleagues that we stop playing games with people's lives because it is well past time that we passed the Right to Try. The Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2018.

We passed this unanimously through the Senate in August. The House has acted now. I am just asking my colleagues, please, these desperate patients are terminally ill, and they have waited far too long.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5247, which was received from the House. 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. Is there objection?

The Democratic leader.

Mr. SCHUMER. Mr. President, reserving the right to object, and I will object.

I just want to make clear that I am sympathetic to the goals my friends from Wisconsin and Indiana are trying to accomplish. In fact, the Senate has already passed a version of this bill once and dedicated time to work on the outstanding issues to get a good compromise and pass it into law and pass it into law quickly.

I believe we all support the goals of safety and increasing access of investigational drugs for terminally ill people, but the key is we need to ensure there are safety mechanisms in place when we do this. A significant part of that is making sure the FDA is part of the process. They already have an expanded access program. We need to ensure that we are not increasing the risk of patient harm or endangering clinical trials so lifesaving drugs can continue to be developed and people have access to them.

So I assure my colleagues that we will work together to get something done, and done quickly, because this is

an important issue. People who have terminal illnesses deserve every opportunity and chance at survival, and I look forward to working with my colleagues and moving forward on the Senate bill.

With that, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I do want to point out the fact that the Right to Try bill only allows access to drugs that have already passed phase 1 safety approval from the FDA. There has been an awful lot of misunderstanding from that standpoint.

All we are asking is, what this bill would do is allow terminal patients who have no other options—they have exhausted all treatment options, they do not qualify for a clinical trial, they are near death or, according to the House bill, subject to severely premature death. It just gives those individuals the right to choose for themselves, not have a faceless bureaucrat at the FDA make that decision.

We passed this unanimously from the good efforts of my colleague, the Senator from Indiana, who will speak shortly, but also Senators Alexander and Murray. We spent many hours in discussion crafting a bill that passed unanimously.

By the way, that didn't surprise me because out of the 39 States that passed Right to Try through their legislature, 38 have passed it and signed it into law. Of the legislators who voted for Right to Try, 98 percent have voted yes. That is a vote tally of 5,604 to 126 because it makes so much sense to give those terminally ill patients the freedom to make those decisions themselves.

The good news is, the House passed the Right to Try bill—not unanimously—with bipartisan support. The vote was 267 to 149, and 35 Democrats joined, most Republicans voting yes. A lot of that was due to the good efforts from my Democratic colleague, the Senator from Indiana.

I want to give a brief history on Right to Try in terms of my involvement. I first went to the Goldwater Institute in 2014. They, through their efforts, decided to go through the strategy of having States pass it, and Colorado was the first State to pass Right to Try in 2014.

Shortly after that meeting, I met a young mom, Trickett Wendler, a mother of three children. She had ALS. I just mentioned the fact that I had met with the Goldwater Institute, and I was fully in support of Right to Try, and tears started streaming down the face of Trickett Wendler. That is when I decided to become the champion and lead sponsor of Right to Try in this body. Unfortunately, Trickett Wendler lost her battle with ALS in March of 2015.

I want to briefly mention the other individuals for whom this bill is named. Matt Bellina, a former lieutenant commander, Navy pilot, married to

his wife Caitlyn Bellina, and he has three boys.

This is what Matt Bellina said in testimony:

Please let them know that I have had ALS too long to meet the exclusion criteria for any promising trials. No drug company will offer me treatments under the current expanded access guidelines. Two reputable companies have already indicated that they would try to treat me under the rules of this bill. A vote against this is essentially a vote to kill me. It is a vote to make my wife a widow and leave my boys fatherless. I can't stop anyone from voting that way, but please ask them to have respect to look my family in the eye when they cast their vote.

Frank Mongiello is another victim of ALS. I just met with him a few hours ago. I first met with him when he could speak—he can no longer speak—but he spoke at our press conference, and here is his quote. He paraphrased Abraham Lincoln and he said:

President Lincoln said, "If I am killed, I die only once; but if I dread it, I die over and over again."

Frank went on to say:

I have an 80-percent chance to be dead in 2 years, and, for me, seeing these potential drugs out on the market and not being able to take them is like dying over and over again.

The final namesake of this bill is little Jordan McLinn. We met him when he was 6 years old, and now he is 8. His mother Laura is a tireless advocate. I know the Senator from Indiana knows the McLinns well.

The FDA advisory committee on April 25 heard from, I think, 55 witnesses about a drug called eteplirsen to treat Duchenne's muscular dystrophy. The advisory committee, having heard from people like Laura and Jordan McLinn wanting access to that drug, voted no. Fortunately, the FDA—and this is pretty rare—overruled the advisory committee, and Jordan now is at least being treated. They are tireless advocates for Right to Try.

These are the people we need to help. These are the people whom Right to Try was meant for.

I don't know why it took the House 7 months to craft a bill and finally vote on it. I can't tell you how many people during that 7 months sought treatment in other countries. I can't tell you if anyone during that time period possibly lost their life because they didn't have access to treatment. I don't know why the House felt compelled to change the bill that we carefully crafted that passed unanimously. I don't know why they simply didn't take up the Senate bill and pass it, but I do know Right to Try saves lives.

I will quote one example, Dr. Delpassand, a courageous oncologist from Houston. He was engaged in an FDA trial treating an aggressive form of endocrine cancer. It was working. So he petitioned the FDA to allow additional patients to be added to the trial. The FDA said no, but Dr. Delpassand had a Right to Try bill in Texas. It didn't have liability protection. He risked his career and all of his posses-

sions and he signed up additional people under the Texas Right to Try laws.

In the end, he signed up 176 people. We just checked with Dr. Delpassand, and 148 of those individuals are still alive today because of his courage. That is why we need to pass a Federal Right to Try law, so individuals with that level of courage don't risk their careers, and those patients have a chance to live.

I would like to yield to the Senator from Indiana for his remarks.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Thank you, Mr. President, and thank you to the Senator from Wisconsin.

I echo my support for this legislation. We worked together nonstop to get this accomplished, as has been mentioned.

This passed the Senate 100 to nothing already. We are hopeful to wrap this up. The House just sent us a vote back, and we will continue to work nonstop to get this done because it is the right thing to do.

I think of the McLinn family in my home State, and they are a representation of families all over the country struggling with the same challenges. Our job is to try to make their lives a little bit easier, a little bit better, so that all of the people who are struggling with Right to Try challenges can get a chance to live their life to the fullest and for a long time.

So, the hour is late. I just want to second the efforts of my friend and colleague from Wisconsin, and we will continue to move forward.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I thank the Senator from Indiana who has been a real champion and a real partner. I know he tried to get as many House Members to vote for the House bill as he could.

By the way, that was the good news. I am calling on the House now, since we have an objection in the Senate on their bill, to please take up the Senate bill. It is a nonpartisan bill that passed unanimously through the Senate. Don't wait another hour. I know they are in recess for a couple weeks, but I am calling on them, as soon as they come back from recess, take up the Senate bill, pass it, and get it on the President's desk. It is well past time to give these patients, these terminally ill patients and their families, the Right to Try and the right to hope. So I want to again thank the Senator from Indiana.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

#### MEASURE READ THE FIRST TIME—H.R. 5247

Mr. JOHNSON. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 5247) to authorize the use of eligible investigational drugs by eligible patients who have been diagnosed with a stage of a disease or condition in which there is reasonable likelihood that death will occur within a matter of months, or with another eligible illness, and for other purposes.

Mr. JOHNSON. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

#### STRENGTHENING PROTECTIONS FOR SOCIAL SECURITY BENEFICIARIES ACT OF 2018

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 4547 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4547) to amend titles II, VIII, and XVI of the Social Security Act to improve and strengthen the representative payment program.

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON. 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. 4547) was ordered to a third reading, was read the third time, and passed.

#### SIGNING AUTHORITY

Mr. JOHNSON. Mr. President, I ask unanimous consent that the junior Senator from Oklahoma be authorized to sign duly enrolled bills or joint resolutions from Friday, March 23, through Monday, March 26, 2018.

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

#### APPOINTMENTS AUTHORITY

Mr. JOHNSON. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of

the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

**ORDERS FOR MONDAY, MARCH 26, 2018, THROUGH MONDAY, APRIL 9, 2018**

Mr. JOHNSON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 26 at 11:30 a.m.; Thursday, March 29 at 3:45 p.m.; Monday, April 2 at 12 noon; Thursday, April 5 at 11:30 a.m. I further ask that when the Senate adjourns on Thursday, April 5, it next convene at 3 p.m. on Monday, April 9; and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Boom nomination; finally, that notwithstanding the provisions of rule XXII, the cloture motions filed during today's session ripen at 5:30 p.m. on Monday, April 9.

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

**ADJOURNMENT UNTIL MONDAY, MARCH 26, 2018, AT 11:30 A.M.**

Mr. JOHNSON. 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 1:01 a.m., adjourned until Monday, March 26, 2018, at 11:30 a.m.

**DISCHARGED NOMINATION**

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

TIM THOMAS, OF KENTUCKY, TO BE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.

**CONFIRMATIONS**

Executive nominations confirmed by the Senate March 22, 2018:

**EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT**

STEVEN T. MNUCHIN, OF CALIFORNIA, TO BE UNITED STATES GOVERNOR OF THE EUROPEAN BANK FOR RE-

CONSTRUCTION AND DEVELOPMENT, UNITED STATES GOVERNOR OF THE AFRICAN DEVELOPMENT FUND, AND UNITED STATES GOVERNOR OF THE ASIAN DEVELOPMENT BANK.

**INTERNATIONAL MONETARY FUND**

STEVEN T. MNUCHIN, OF CALIFORNIA, TO BE UNITED STATES GOVERNOR OF THE INTERNATIONAL MONETARY FUND, UNITED STATES GOVERNOR OF THE AFRICAN DEVELOPMENT BANK, UNITED STATES GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK, AND UNITED STATES GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS.

**DEPARTMENT OF STATE**

CARLOS TRUJILLO, OF FLORIDA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

**DEPARTMENT OF ENERGY**

ANNE MARIE WHITE, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT).

BRENT K. PARK, OF TENNESSEE, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION.

**DEPARTMENT OF LABOR**

JAMES EDWIN WILLIAMS, OF UTAH, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF LABOR.

**DEPARTMENT OF EDUCATION**

MARK SCHNEIDER, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE INSTITUTE OF EDUCATION SCIENCE, DEPARTMENT OF EDUCATION FOR A TERM OF SIX YEARS.

**IN THE ARMY**

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. TIMOTHY J. HILTY

**IN THE NAVY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. MATTHEW J. KOHLER

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

- BRIG. GEN. VINCENT K. BECKLUND
- BRIG. GEN. CHARLES S. CORCORAN
- BRIG. GEN. BARRY R. CORNISH
- BRIG. GEN. CHRISTOPHER E. CRAIGE
- BRIG. GEN. ANDREW A. CROFT
- BRIG. GEN. ALLAN E. DAY
- BRIG. GEN. ERIC T. FICK
- BRIG. GEN. CHAD P. FRANKS
- BRIG. GEN. JOHN R. GORDY II
- BRIG. GEN. GREGORY M. GUILLOT
- BRIG. GEN. STACEY T. HAWKINS
- BRIG. GEN. CAMERON G. HOLT
- BRIG. GEN. KEVIN A. HUYCK
- BRIG. GEN. DAVID J. JULAZADEH
- BRIG. GEN. KEVIN B. KENNEDY
- BRIG. GEN. KYLE J. KREMER
- BRIG. GEN. PETER J. LAMBERT
- BRIG. GEN. WILLIAM J. LIQUORI, JR.
- BRIG. GEN. RANDALL REED
- BRIG. GEN. LENNY J. RICHOUX
- BRIG. GEN. CARL E. SCHAEFER
- BRIG. GEN. JOHN E. SHAW
- BRIG. GEN. BRAD M. SULLIVAN
- BRIG. GEN. STEPHEN C. WILLIAMS

**IN THE MARINE CORPS**

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

- BRIG. GEN. JAMES W. BIERMAN, JR.
- BRIG. GEN. DAVID J. FURNESS
- BRIG. GEN. JOHN M. JANSEN
- BRIG. GEN. MICHAEL E. LANGLEY
- BRIG. GEN. DAVID A. OTTIGNON
- BRIG. GEN. THOMAS D. WEIDLEY

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. TIMOTHY M. RAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DAVID D. THOMPSON

**IN THE NAVY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be admiral*

VICE ADM. CHRISTOPHER W. GRADY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. TIMOTHY J. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. DAVID A. WELCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. SCOTT A. STEARNEY

**DEPARTMENT OF STATE**

ROBERT FRANK PENCE, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF FINLAND.

EDWARD CHARLES PRADO, OF TEXAS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARGENTINE REPUBLIC.

TREVOR D. TRAINA, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

**INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT**

ERIK BETHEL, OF FLORIDA, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS.

**EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT**

JUDY LYNN SHELTON, OF VIRGINIA, TO BE UNITED STATES DIRECTOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

**DEPARTMENT OF STATE**

KEVIN EDWARD MOLEY, OF ARIZONA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL ORGANIZATION AFFAIRS).

**PEACE CORPS**

JOSEPHINE OLSEN, OF MARYLAND, TO BE DIRECTOR OF THE PEACE CORPS.

**DEPARTMENT OF STATE**

MARIE ROYCE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF STATE (EDUCATIONAL AND CULTURAL AFFAIRS).

**DEPARTMENT OF JUSTICE**

THOMAS T. CULLEN, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

ROBERT K. HUR, OF MARYLAND, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MARYLAND FOR THE TERM OF FOUR YEARS.

DAVID C. JOSEPH, OF LOUISIANA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF LOUISIANA FOR THE TERM OF FOUR YEARS.

**IN THE AIR FORCE**

AIR FORCE NOMINATION OF ARTHUR W. PRIMAS, JR., TO BE COLONEL.

AIR FORCE NOMINATION OF GREGORY J. PAYNE, TO BE COLONEL.

AIR FORCE NOMINATION OF MICHAEL J. PATTERSON, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF BRAD R. MATHERNE, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF JONATHAN A. MORRIS, TO BE MAJOR.

**IN THE ARMY**

ARMY NOMINATIONS BEGINNING WITH RACHEL L. ADAIR AND ENDING WITH D04124, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2018.

ARMY NOMINATIONS BEGINNING WITH ROSE ABIDO AND ENDING WITH JOSEPH P. WZOREK II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2018.

ARMY NOMINATIONS BEGINNING WITH JOHN P. KILBRIDE AND ENDING WITH JOHN J. NEAL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2018.

ARMY NOMINATIONS BEGINNING WITH GREGORY J. ABIDE AND ENDING WITH G010452, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2018.

ARMY NOMINATIONS BEGINNING WITH STEVEN ABADIA AND ENDING WITH G010479, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2018.

ARMY NOMINATION OF STEVEN M. HEMMANN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH HAYLEY R. ASHBAUGH AND ENDING WITH JORDAN N. YOLLES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 2018.

ARMY NOMINATIONS BEGINNING WITH JEFFREY A. ANDERSON AND ENDING WITH D012878, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 2018.

ARMY NOMINATIONS BEGINNING WITH AHMAD B. ALEXANDER AND ENDING WITH STEVEN D. ZUMBRUN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 2018.

ARMY NOMINATIONS BEGINNING WITH ASHLEY K. AITON AND ENDING WITH TRACY L. ZINN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 2018.

ARMY NOMINATION OF WILSON R. RAMOS, TO BE COLONEL.

ARMY NOMINATION OF CURTIS D. BOWE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF CARL E. FOSTER III, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MICHAEL A. FOWLES, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ANDREW K. SINDEN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH D013264 AND ENDING WITH D013298, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 6, 2018.

ARMY NOMINATION OF CHRISTOPHER F. RUDER, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JOHN J. MORRIS AND ENDING WITH MIN S. RO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2018.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER M. BELL AND ENDING WITH ADRIANA B. DEJULIO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 12, 2018.

ARMY NOMINATION OF MIKAL L. STONER, TO BE COLONEL.

#### IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH ERIC G. BURNS AND ENDING WITH DAVID P. SHEEHAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 8, 2018.

MARINE CORPS NOMINATIONS BEGINNING WITH THESOLINA D. HUBERT AND ENDING WITH TIMOTHY W. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 18, 2018.

MARINE CORPS NOMINATIONS BEGINNING WITH BENJAMIN S. ADAMS AND ENDING WITH CARL L. ZEPPEGNO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 5, 2018.

MARINE CORPS NOMINATION OF AARON J. KING, TO BE MAJOR.

#### IN THE NAVY

NAVY NOMINATION OF JEFFREY G. BENTSON, TO BE COMMANDER.

#### APPALACHIAN REGIONAL COMMISSION

TIM THOMAS, OF KENTUCKY, TO BE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.