

transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary (Economic Policy), Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on September 7, 2018; to the Committee on Finance.

EC-6476. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the U.S. Munitions List of Automatic 5.56mm rifles to the UAE in the amount of \$1,000,000 or more (Transmittal No. DDTC 18-024); to the Committee on Foreign Relations.

EC-6477. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-6478. A communication from the Strategic Advisor and Director of Congressional Relations and Government Affairs, Office of the Special Inspector General for Afghanistan Reconstruction, transmitting, pursuant to law, a report relative to the Office's July 2018 quarterly report to Congress (OSS-2018-1090); to the Committee on Homeland Security and Governmental Affairs.

EC-6479. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's fiscal year 2018 Commercial Activities Inventory and Inherently Governmental Activities Inventory and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-6480. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary and Director, U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security, received in the Office of the President of the Senate on September 6, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6481. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Removal of Dispute Resolution Pilot Program for Public Assistance Appeals" ((RIN1660-AA94) (Docket No. FEMA-2018-0015)) received during adjournment of the Senate in the Office of the President of the Senate on September 10, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-6482. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Adjustment to Premium Processing Fee" (RIN1615-ZB73) received in the Office of the President of the Senate on September 5, 2018; to the Committee on the Judiciary.

EC-6483. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standard for Automatic Residential Garage Door Operators" (RIN3041-AD66) received in the Office of the President of the Senate on August 27, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6484. A communication from the Program Analyst, Office of Managing Director,

Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment and Collection of Regulatory Fees for Fiscal Year 2018" (FCC 18-126) received during adjournment of the Senate in the Office of the President of the Senate on September 11, 2018; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-299. A joint resolution adopted by the Legislature of the State of Illinois memorializing its ratification of the proposed Equal Rights Amendment to the Constitution of the United States of America; to the Committee on the Judiciary.

#### SENATE JOINT RESOLUTION CONSTITUTIONAL AMENDMENT NO. 4

Whereas, The Ninety-second Congress of the United States of America, at its Second Session, in both houses, by a constitutional majority of two-thirds, adopted the following proposition to amend the Constitution of the United States of America:

#### "JOINT RESOLUTION

*Resolved by the House of Representatives and Senate of the United States of America in Congress assembled (two-thirds of each house concurring therein),* That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

#### "ARTICLE

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.""; and

Whereas, A Joint Resolution is a resolution adopted by both houses of the General Assembly and does not require the signature of the Governor; a Joint Resolution is sufficient for Illinois' ratification of an amendment to the United States Constitution; and

Whereas, The United States Congress has recently adopted the 27th Amendment to the Constitution of the United States, the so-called Madison Amendment, relating to Compensation of Members of Congress; this amendment was proposed 203 years earlier by our First Congress and only recently ratified by three-fourths of the States; the United States Archivist certified the 27th Amendment on May 18, 1992; and

Whereas, The founders of our nation, James Madison included, did not favor further restrictions to Article V of the Constitution of the United States, the amending procedure; the United States Constitution is harder to amend than any other constitution in history; and

Whereas, The restricting time limit for the Equal Rights Amendment ratification is in the resolving clause and is not a part of the amendment proposed by Congress and already ratified by 35 states; and

Whereas, Having passed a time extension for the Equal Rights Amendment on October 20, 1978, Congress has demonstrated that a time limit in a resolving clause can be disregarded if it is not a part of the proposed amendment; and

Whereas, The United States Supreme Court in *Coleman v. Miller*, 307 U.S. 433, at 456 (1939), recognized that Congress is in a unique position to judge the tenor of the nation, to be aware of the political, social, and economic factors affecting the nation, and to be aware of the importance to the nation of the proposed amendment; and

Whereas, If an amendment to the Constitution of the United States has been proposed by two-thirds of both houses of Congress and ratified by three-fourths of the state legislatures, it is for Congress under the principles of *Coleman v. Miller* to determine the validity of the state ratifications occurring after a time limit in the resolving clause, but not in the amendment itself; and

Whereas, Constitutional equality for women and men continues to be timely in the United States and worldwide, and a number of other nations have achieved constitutional equality for their women and men; therefore, be it

*Resolved, by the Senate of the One Hundredth General Assembly of the State of Illinois, the House of Representatives concurring herein,* that the proposed amendment to the Constitution of the United States of America set forth in this resolution is ratified; and be it further

*Resolved,* That a certified copy of this resolution be forwarded to the Archivist of the United States, the President pro tempore of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and each member of the Illinois congressional delegation.

POM-300. A petition from a citizen of the State of Texas relative to the Medicare Payment Advisory Commission June 2018 report submitted to the United States Congress; to the Committee on Finance.

POM-301. A petition from a citizen of the State of Texas relative to national security clearances; to the Select Committee on Intelligence.

POM-302. A petition from a citizen of the District of Columbia relative to voting representatives in the United States Congress; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2019" (Rept. No. 115-337).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2823. A bill to modernize copyright law, and for other purposes.

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

H.R. 4323. A bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

H.R. 4467. A bill to require the Federal Air Marshal Service to utilize risk-based strategies, and for other purposes.

H.R. 4559. A bill to conduct a global aviation security review, and for other purposes.

#### EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. CORKER, from the Committee on Foreign Relations:

[Treaty Doc. 114-7 U.N. Convention on the Assignment of Receivables in International Trade with 6 declarations and 5 understandings (Ex. Rept. 115-7)]

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

*Resolved, (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent Subject to Understandings and Declarations.

The Senate advises and consents to the ratification of the United Nations Convention on the Assignment of Receivables in International Trade, done at New York on December 12, 2001, and signed by the United States on December 30, 2003 (the "Convention") (Treaty Doc. 114-7), subject to the understandings of section 2 and the declarations of sections 3 and 4.

Sec. 2. Understandings.

The Senate's advice and consent under section 1 is subject to the following understandings, which shall be included in the instrument of ratification:

(1) It is the understanding of the United States that paragraph (2)(e) of Article 4 excludes from the scope of the Convention the assignment of—

(A) receivables that are securities, regardless of whether such securities are held with an intermediary; and

(B) receivables that are not securities, but are financial assets or instruments, if such financial assets or instruments are held with an intermediary.

(2) It is the understanding of the United States that the phrase "that place where the central administration of the assignor or the assignee is exercised," as used in Articles 5(h) and 36 of the Convention, has a meaning equivalent to the phrase, "that place where the chief executive office of the assignor or assignee is located."

(3) It is the understanding of the United States that the reference, in the definition of "financial contract" in Article 5(k), to "any other transaction similar to any transaction referred to above entered into in financial markets" is intended to include transactions that are or become the subject of recurrent dealings in financial markets and under which payment rights are determined by reference to—

(A) underlying asset classes; or

(B) quantitative measures of economic or financial risk or value associated with an occurrence or contingency. Examples are transactions under which payment rights are determined by reference to weather statistics, freight rates, emissions allowances, or economic statistics.

(4) It is the understanding of the United States that because the Convention applies only to "receivables," which are defined in Article 2(a) as contractual rights to payment of a monetary sum, the Convention does not apply to other rights of a party to a license of intellectual property or an assignment or other transfer of an interest in intellectual property or other types of interests that are not a contractual right to payment of a monetary sum.

(5) The United States understands that, with respect to Article 24 of the Convention, the Article requires a Contracting State to provide a certain minimum level of rights to an assignee with respect to proceeds, but that it does not prohibit Contracting States from providing additional rights in such proceeds to such an assignee.

Sec. 3. Declarations to be Included in the Instrument of Ratification.

The Senate's advice and consent under section 1 is subject to the following declara-

tions, which shall be included in the instrument of ratification:

(1) Pursuant to Article 23(3), the United States declares that, in an insolvency proceeding of the assignor, the insolvency laws of the United States or its territorial units may under some circumstances—

(A) result in priority over the rights of an assignee being given to a lender extending credit to the insolvency estate, or to an insolvency administrator that expends funds of the insolvency estate for the preservation of the assigned receivables (see, for example, title 11 of the United States Code, sections 364(d) and 506(c)); or

(B) subject the assignment of receivables to avoidance rules, such as those dealing with preferences, undervalued transactions and transactions intended to defeat, delay, or hinder creditors of the assignor.

(2) Pursuant to Article 36 of the Convention, the United States declares that, with respect to an assignment of receivables governed by enactments of Article 9 of the Uniform Commercial Code, as adopted in one of its territorial units, if an assignor's location pursuant to Article 5(h) of the Convention is the United States and, under the location rules contained in section 9-307 of the Uniform Commercial Code, as adopted in that territorial unit, the assignor is located in a territorial unit of the United States, that territorial unit is the location of the assignor for purposes of this Convention.

(3) Pursuant to Article 37 of the Convention, the United States declares that any reference in the Convention to the law of the United States means the law in force in the territorial unit thereof determined in accordance with Article 36 and the Article 5(h) definition of location. However, to the extent under the conflict-of-laws rules in force in that territorial unit, a particular matter would be governed by the law in force in a different territorial unit of the United States, the reference to "law of the United States" with respect to that matter is to the law in force in the different territorial unit. The conflict-of-laws rules referred to in the preceding sentence refer primarily to the conflict-of-laws rules in section 9-301 of the Uniform Commercial Code as enacted in each State of the United States.

(4) Pursuant to Article 39 of the Convention, the United States declares that it will not be bound by chapter V of the Convention.

(5) Pursuant to Article 40, the United States declares that the Convention does not affect contractual anti-assignment provisions where the debtor is a governmental entity or an entity constituted for a public purpose in the United States.

Sec. 4. Self-Execution Declaration.

The Senate's advice and consent under section 1 is subject to the following declaration: This Convention is self-executing.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. BLUMENTHAL, Mr. BENNET, Mr. VAN HOLLEN, and Mr. KING):

S. 3427. A bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself and Mr. HATCH):

S. 3428. A bill to amend the Controlled Substances Act to require warning labels for pre-

scription opioids, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. CARPER, Mr. NELSON, and Mr. CASEY):

S. 3429. A bill to require the Secretary of Health and Human Services to issue guidance to States to improve care for infants with neonatal abstinence syndrome and their mothers and fathers or guardians under Medicaid; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. TESTER):

S. 3430. A bill to amend title 49, United States Code, to provide for the treatment of certain seasonal airports; to the Committee on Commerce, Science, and Transportation.

By Mr. PERDUE (for himself, Mr. CRUZ, and Mr. RUBIO):

S. 3431. A bill to impose sanctions with respect to certain militias in Iraq that are backed by the Government of Iran; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. DUCKWORTH:

S. 3432. A bill to direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TOOMEY:

S. 3433. A bill to exempt firefighters and police officers from the Government Pension Offset and Windfall Elimination Provisions under the Social Security Act; to the Committee on Finance.

By Ms. SMITH (for herself and Mr. CASIDY):

S. 3434. A bill to amend the Public Health Service Act to provide for grants to enable States to carry out activities to reduce administrative costs and burdens in health care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. BOOKER, Mr. VAN HOLLEN, Mr. MURPHY, Ms. WARREN, Ms. BALDWIN, Ms. HARRIS, and Ms. CORTEZ MASTO):

S. 3435. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to issue guidance and recommendations for institutions of higher education on removing criminal and juvenile justice questions from their application for admissions process; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. WARREN, Mrs. SHAHEEN, Ms. BALDWIN, Ms. HEITKAMP, Ms. HIRONO, Ms. STABENOW, Ms. CANTWELL, Ms. KLOBUCHAR, Ms. HASSAN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Ms. SMITH, Mrs. MCCASKILL, and Mrs. FEINSTEIN):

S. 3436. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. HOEVEN):

S. 3437. A bill to establish a Federal rotational cyber workforce program for the Federal cyber workforce; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself and Ms. KLOBUCHAR):

S. 3438. A bill to require the Director of the Government Publishing Office to establish and maintain a website accessible to the