The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. Poe of Texas).

**DESIGNATION OF THE SPEAKER PRO TEMPORE**

The Speaker pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, September 28, 2018.
I hereby appoint the Honorable Ted Poe to act as Speaker pro tempore on this day.
Paul D. Ryan,
Speaker of the House of Representatives.

**PRAYER**

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

God of mercy, thank You for giving us another day. May the words of Ezekiel stir our hearts.

"The nations shall know that I am the Lord, says the Lord God, when in their sight I prove My holiness through you. . . . From all your idols, I will cleanse you. I will give you a new heart and place a new spirit within you, taking from your bodies your stoney hearts and giving you natural hearts.

Lord God of prophets and politicians, through the campaigns, surface out fiction and malicious thoughts so that Your people may be led to America’s common concerns and the truth upon which to build anew. Deepen convictions in all contestants that their hearts may be naturally transformed by the response of the people and Your holy inspirations.

We pray for civility in the weeks to come and peaceful resolve across our land, both now and forever.

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

Amen.

**THE JOURNAL**

The Speaker pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof.

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

**PLEDGE OF ALLEGIANCE**

The Speaker pro tempore. Will the gentleman from West Virginia (Mr. Jenkins) come forward and lead the House in the Pledge of Allegiance.

Mr. Jenkins of West Virginia 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.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The Speaker pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

**RELEASE OLEG SENTSOV**

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

Mr. Shimkus. Mr. Speaker, in 2015, Russian authorities arrested Oleg Sentsov, Ukrainian filmmaker and human rights activist, for protesting the occupation of Crimea and sentenced him to 20 years in prison.

On May 14 of this year, he began a hunger strike that has lasted over 130 days. Russia has unjustly imprisoned over 150 individuals. They suffer psychiatric confinement, closed trials, and harsh prison conditions. Russia also threatened to strip dissidents and members of religious minorities their parental rights.

Oleg is in prison north of the Arctic Circle. He receives IV treatments of saline, amino acids, and vitamins. His sister reported in September that he thinks he will die soon.

Mr. Speaker, I call upon Russian authorities to release Oleg Sentsov, and I call upon them to protect political free speech, religious liberty, and the sovereignty of international borders.

**HONORING THE MEMORY OF THOSE WHO DIED AT THE ROUTE 91 HARVEST FESTIVAL**

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

Ms. Rosen. Mr. Speaker, I rise today to honor the memory of the 58 innocent souls who were taken on October 1.

No words can describe the devastation and heartbreak my community experienced that night. So many families in Las Vegas and across the Nation are still grieving from this unspeakable tragedy, and their lives will never be the same.

I am forever grateful to our first responders, medical professionals, hotel and security staff, and the kindness of strangers who helped the wounded to the hospital and stood in line for hours to donate blood.

We will never forget the selfless and heroic acts by men and women who risked it all and gave their lives for others that night.

As we continue to heal, what we have always known about our community remains true: We are Vegas strong; we are resilient; and even in our darkest hour, we come together united.

**APPLAUDING HURRICANE FLORENCE RECOVERY EFFORTS**

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

Mr. Thompson of Pennsylvania. Mr. Speaker, I rise today to applaud the response to Hurricane Florence, which caused extensive damage in the

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.
Carolinians earlier this month. The mission is far from over, but the Federal response has been swift, and the National Guard units from across the country have been working together to help in the recovery efforts.

Proudly, members of the Pennsylvania National Guard are helping to provide shelter support. The level of professionalism and training shown during this recovery by guardsmen from across the country is commendable.

Mr. Speaker, there are many aspects of the recovery effort, including food assistance. I am pleased that USDA acted quickly to announce Disaster SNAP. Households that may not normally be eligible for SNAP or food stamps may qualify for Disaster SNAP.

Providing food assistance to neighbors in need is exactly why the SNAP program exists. Food security is an important step toward bringing back normalcy and stability for families impacted by the disaster.

Mr. Speaker, as our fellow Americans begin putting their lives back together, I am pleased to know that they will have help every step of the way.

PUBLIC CHARGE RULE

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute.)

Mr. GENE GREEN of Texas. Mr. Speaker, the Department of Homeland Security announced a proposed rule change that would increase the number of immigrants considered a public charge.

This rule change is a dangerous departure from our current immigration policy. The administration is hurting immigrant families, including families that are U.S. citizens, by penalizing those who seek a green card or visa and use programs like SNAP, housing assistance, or Medicaid.

This rule has the potential to impact about 1.8 million Texas children whose parents may foresee critical needs like food and health assistance for their families in fear that, if they use these programs, it will hinder their access to citizenship. This is another step by the Trump administration to restrict immigration into the country.

In Houston, we have a long history of immigrants and newcomers bringing innovation, entrepreneurship, and hard work. It is Houston what it is today. From the separation of our families at the southern border to punishing immigrant families for using programs they legally qualify for, I am deeply saddened by this administration’s constant disregard for the children and their families.

THE CRIB ACT

(Mr. JENKINS of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. JENKINS of West Virginia. Mr. Speaker, I rise today in support of H.R. 6, which we are voting on here today. H.R. 6 includes my legislation, the Caring Recovery for Infants and Babies Act, known as the CRIB Act.

The most innocent victims of the opioid crisis are the precious newborn babies that were exposed to drugs during pregnancy. It simply breaks your heart.

Three years ago, I helped start Lily’s Place in my hometown, a healthcare facility that has provided compassionate, loving healthcare to more than four hundred babies going through the ravages of withdrawal after birth.

Passing the CRIB Act today will allow this one-of-a-kind program to be replicated around the country so every child gets the best possible chance for a healthy start in life.

Mr. Speaker, I encourage my fellow Members to vote “yes” on H.R. 6, the CRIB Act.

FAA REAUTHORIZATION BILL

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to applaud the House passage of the FAA reauthorization bill, and I am delighted that the conference agreement includes provisions from my bill, the Safeguarding America’s Skies Act. These provisions provide the Departments of Homeland Security and Justice with the authority to use counterdrone technology to detect, monitor, and interfere drones that pose a threat to the safety and security of our country.

We must face the reality that drone technology is being exploited to advance crime and threaten our national security. Drones are used to smuggle illegal drugs across borders and contraband into prisons. On the other side of the globe, terrorist groups are using drones to attack U.S. forces and coalition partners.

Unfortunately, under current law, most Federal agencies are prohibited from engaging with drones due to various outdated laws. This legislation will provide our Federal law enforcement agencies with the tools necessary to protect U.S. citizens from criminal and nefarious acts. Our skies will be safer and our families will be safer.

VIOLENCE AGAINST WOMEN ACT

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to commend my colleagues on both sides of the aisle, as well as the many advocacy groups, health organizations, and constituents working with our offices, for ensuring the extension of the Violence Against Women Act, which is a long-term reauthorization is finalized. This is a crucial first step toward ensuring that victims of violence continue to have the resources they rely on and our law enforcement officers can keep up the fight against domestic violence and sex crimes.

VAWA is a landmark piece of legislation enacted over two decades ago. It played very important roles: first, to prevent, prosecute, and punish crimes against women; and second, to provide care and assistance to women who were victims of violent crimes.

VAWA has enhanced domestic violence and stalking penalties, added protections for abused elderly and disabled women, helped to fight against sex trafficking, and addressed the rape kit backlog in many States.

Mr. Speaker, I look forward to working with my colleagues toward a long-term reauthorization of the Violence Against Women Act.

HEALTH EQUITY AND ACCESS FOR RETURNING TROOPS AND SERVICEMEMBERS ACT OF 2018

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Armed Services be discharged from further consideration of the bill (H.R. 6886) to amend title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program, and ask for its immediate consideration in the House.

There was no objection.

The text of the bill is as follows:

H.R. 6886
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 “Health Equity and Access for Returning Troops and Servicemembers Act of 2018” or the “HEARTS Act of 2018.”

SEC. 2. MODIFICATION OF REQUIREMENT FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

(a) TRICARE ELIGIBILITY...

(1) IN GENERAL.—Subsection (d) of section 1086 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(6)(A) The requirement in paragraph (2)(A) to enroll in a military insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) shall not apply to a person described in subparagraph (B) during any month in which such person is entitled to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 1395v(b)(2)) if such person has received the counseling and information under subparagraph (C).
TRICARE Select under chapter 55 of title 10, United States Code.
(d) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1886(b)(1) of the Social Security Act (42 U.S.C. 1395m(b)(1)) is amended by striking “during and after fiscal year 2021,” and inserting “during and after fiscal year 2022.”
(e) APPLICATION.—The amendments made by subsections (a) and (b) shall apply with respect to a person who, on or after October 1, 2021, is enrolled in title XVIII of the Social Security Act (42 U.S.C. 1396d), enrolled, and as added by subsection (a).

SEC. 3. COVERAGE OF CERTAIN DNA SPECIMEN PROVENANCE ASSAY TESTS UNDER MEDICARE.

(a) BENEFIT.—(1) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—
(A) in subsection (s)(2)—
(i) in subparagraph (FF), by striking “and” at the end; and
(ii) in subparagraph (GG), by inserting “and” at the end; and
(iii) by adding at the end the following new subparagraph:
(4H) a prostate cancer DNA Specimen Provenance Assay Test (DSPA test) (as defined in subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 1395x)), unless such test is furnished on or after January 1, 2020, and before January 1, 2025, and such test is ordered by the physician who furnished the procurement of the biopsy that obtained the specimen tested.
(2) PAYMENT AMOUNT AND RELATED REQUIREMENTS.—(A) The requirement in paragraph (5)(C) of section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subparagraph:
(5W) PROSTATE CANCER DNA SPECIMEN PROVENANCE ASSAY TESTS.—
(1) PAYMENT FOR COVERED TESTS.—
(A) IN GENERAL.—Subject to subparagraph (B), the amount for a prostate cancer DNA Specimen Provenance Assay Test (DSPA test) (as defined in section 1861(jjj)) shall be $200. Such payment shall be made with respect to a claim for an applicable DNA specimen that the laboratory verifies the identity of the biopsy of the individual diagnosed with prostate cancer.
(B) LIMITATION.—Payment for a DSPA test shall not be made if the laboratory verifies the identity of the biopsy of the individual with another biopsy, unless such payment is made with respect to a claim for a DSPA test that was furnished on or after January 1, 2020, and before January 1, 2025, and such test is ordered by the physician who furnished the procurement of the biopsy that obtained the specimen tested.
(C) PROHIBITION ON SEPARATE PAYMENT.—No separate payment shall be made for obtaining the biopsy specimen separately from the individual at the time of the biopsy.

AMENDMENT OFFERED BY MR. SAM JOHNSON OF TEXAS
Mr. SAM JOHNSON of Texas. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

SEC. 4. MODIFICATION OF REQUIREMENT FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

(a) TRICARE ELIGIBILITY.—
(1) IN GENERAL.—Subsection (d) of section 1086 of title 10, United States Code, is amended by adding at the end the following new paragraph:
(6)(A) The requirement in paragraph (2)(B) to enroll in the implementation of the medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) shall not apply to a person described in subparagraph (B) during any month in which such person is entitled to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 1395x) if such person has received the counseling and information under subparagraph (C).
(2) A person described in this subparagraph—
(i) who is under 65 years of age;
(ii) who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and
(iii) for whom such entitlement is no longer enrolled in TRICARE Standard, TRICARE Prime, TRICARE Extra, or TRICARE Select under chapter 55 of title 10, United States Code.

The Clerk read as follows:

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Strike all after the enacting clause and insert the following:

SEC. 4. MODIFICATION OF REQUIREMENT FOR CERTAIN FORMER MEMBERS OF THE ARMED FORCES TO ENROLL IN MEDICARE PART B TO BE ELIGIBLE FOR TRICARE FOR LIFE.

(a) TRICARE ELIGIBILITY.—
(1) IN GENERAL.—Subsection (d) of section 1086 of title 10, United States Code, is amended by adding at the end the following new paragraph:
(6)(A) The requirement in paragraph (2)(B) to enroll in the implementation of the medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) shall not apply to a person described in subparagraph (B) during any month in which such person is entitled to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 1395x) if such person has received the counseling and information under subparagraph (C).
(2) A person described in this subparagraph—
(i) who is under 65 years of age;
(ii) who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and
(iii) for whom such entitlement is no longer enrolled in TRICARE Standard, TRICARE Prime, TRICARE Extra, or TRICARE Select under chapter 55 of title 10, United States Code.

(d) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1886(b)(1) of the Social Security Act (42 U.S.C. 1395m(b)(1)) is amended by striking “during and after fiscal year 2021,” and inserting “during and after fiscal year 2022.”
(e) APPLICATION.—The amendments made by subsections (a) and (b) shall apply with respect to a person who, on or after October 1, 2021, is enrolled in title XVIII of the Social Security Act (42 U.S.C. 1396d), enrolled, and as added by subsection (a).

SEC. 3. COVERAGE OF CERTAIN DNA SPECIMEN PROVENANCE ASSAY TESTS UNDER MEDICARE.

(a) BENEFIT.—(1) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—
(A) in subsection (s)(2)—
(i) in subparagraph (FF), by striking “and” at the end; and
(ii) in subparagraph (GG), by inserting “and” at the end; and
(iii) by adding at the end the following new subparagraph:
(4H) a prostate cancer DNA Specimen Provenance Assay Test (DSPA test) (as defined in subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 1395x)), unless such test is furnished on or after January 1, 2020, and before January 1, 2025, and such test is ordered by the physician who furnished the procurement of the biopsy that obtained the specimen tested.
(2) PAYMENT AMOUNT AND RELATED REQUIREMENTS.—(A) The requirement in paragraph (5)(C) of section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subparagraph:
(5W) PROSTATE CANCER DNA SPECIMEN PROVENANCE ASSAY TESTS.—
(1) PAYMENT FOR COVERED TESTS.—
(A) IN GENERAL.—Subject to subparagraph (B), the amount for a prostate cancer DNA Specimen Provenance Assay Test (DSPA test) (as defined in section 1861(jjj)) shall be $200. Such payment shall be made with respect to a claim for an applicable DNA specimen that the laboratory verifies the identity of the biopsy of the individual diagnosed with prostate cancer.
(B) LIMITATION.—Payment for a DSPA test shall not be made if the laboratory verifies the identity of the biopsy of the individual with another biopsy, unless such payment is made with respect to a claim for a DSPA test that was furnished on or after January 1, 2020, and before January 1, 2025, and such test is ordered by the physician who furnished the procurement of the biopsy that obtained the specimen tested.
(C) PROHIBITION ON SEPARATE PAYMENT.—No separate payment shall be made for obtaining the biopsy specimen separately from the individual at the time of the biopsy.

"(iii) whose entitlement to a benefit described in subparagraph (A) of such section has terminated due to performance of substantial gainful activity; and

"(iv) who is retired under chapter 61 of this title.

"(C) The Secretary of Defense shall coordinate with the Secretary of Health and Human Services and the Commissioner of Social Security to notify persons described in subparagraph (B) of, and provide information and counseling regarding, the effects of not enrolling in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), as described in subparagraph (A)."

(2) CONFORMING AMENDMENT.—Paragraph (2)(A) of such subsection is amended by striking "and enrolled" and inserting "except as provided by paragraph (6), is enrolled".

(3) IDENTIFICATION OF PERSONS.—Section 1104a of such title is amended by adding at the end the following new subparagraph:

"(c) Certain Individuals Not Required to Enroll in Medicare Part B.—In carrying out section 1855(b) of the Social Security Act (42 U.S.C. 1395ll(b)) as added by subsection (a), the Secretary shall coordinate with the Secretary of Health and Human Services and the Commissioner of Social Security to provide information and counseling pursuant to subparagraph (D) of such section.

(b) Non-Application of Medicare Part B Late enrollments.—Section 1866(d)(6) of the Social Security Act (42 U.S.C. 1395w(d)(6)) is amended, in the second sentence, by inserting "or months for which the individual can demonstrate that the individual is an individual described in paragraph (6)(B) of section 1886(d)(6) of title 10, United States Code, who is enrolled in the TRICARE program pursuant to subsection (a) or (b) after an individual described in section 1877(k)(3)".

(c) REPORT.—Not later than October 1, 2024, the Secretary of Defense, the Secretary of Health and Human Services, and the Commissioner of Social Security shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Finance of the Senate a report on the implementation of section 1866(d)(6) of title 10, United States Code, as added by subsection (a), with respect to the period covered by the report:

(1) the number of individuals enrolled in TRICARE for Life who are not enrolled in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) by reason of such section 1866(d)(6); and

(2) the number of individuals who—

(A) are retired from the Armed Forces under chapter 61 of title 10, United States Code;

(B) are entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) by reason of such section 1866(d)(6); and

(C) because of such entitlement, are no longer entitled to TRICARE Standard, TRICARE Prime, TRICARE Extra, or TRICARE Select under chapter 55 of title 10, United States Code;

(D) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395ll(b)(1)) is amended—

(1) by striking "subsection (b)(1)" and inserting "subsection (b)(1) and after fiscal year 2021, $0"; and

(2) by striking "and after fiscal year 2023, $5,000,000."

(e) APPLICATION.—The amendments made by subsections (a) and (b) shall apply with respect to a person who, on or after October 1, 2023, is a person described in section 1086(d)(6)(B) of title 10, United States Code, as added by subsection (a).

SEC. 3. COVERAGE OF CERTAIN DNA SPECIMEN PROVENANCE ASSAY TESTS UNDER MEDICARE.

(a) BENEFIT.—

(1) COVERAGE.—Section 1861 of the Social Security Act (42 U.S.C. 1395a) is amended—

(A) in subsection (b)(1), by striking "and enrolled" and inserting "except as provided by paragraph (6), is enrolled"; and

(B) in subparagraph (A), by striking "and enrolled" and inserting "except as provided by paragraph (6), is enrolled".

(2) CONFORMING AMENDMENT.—Paragraph (2)(A) of such subsection is amended by striking "and enrolled" and inserting "except as provided by paragraph (6), is enrolled".

(3) IDENTIFICATION OF PERSONS.—Section 1104a of such title is amended by adding at the end the following new subparagraph:

"(BB) who is enrolled in the TRICARE program pursuant to subsection (a) or (b) after an individual described in section 1086(d)(6) of title 10, United States Code, who is enrolled in the TRICARE program pursuant to subsection (a) or (b) after an individual described in section 1877(k)(3)".

(c) REPORT.—Not later than October 1, 2024, the Secretary of Defense, the Secretary of Health and Human Services, and the Commissioner of Social Security shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Finance of the Senate a report on the implementation of section 1866(d)(6) of title 10, United States Code, as added by subsection (a), with respect to the period covered by the report:

(1) the number of individuals enrolled in TRICARE for Life who are not enrolled in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395ll(b)) is amended—

(A) in subparagraph (O), by striking "and enrolled" and inserting "and enrolled"; and

(B) in subparagraph (P), by striking the semicolon at the end and inserting "; and"

and

(C) by adding at the end the following new subparagraph:

"(Q) in the case of a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(j)(j))), unless such test is furnished on or after January 1, 2020, and before January 1, 2025, and such test is ordered by the physician who furnished the prostate cancer biopsy that obtained the specimen tested;"

(b) PAYMENT AMOUNT AND RELATED REQUIREMENTS.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

"(ww) PROSTATE CANCER DNA SPECIMEN PROVENANCE ASSAY TESTS.—

(1) PAYMENT FOR COVERED TESTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the payment amount for a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(j)(j))) shall be 90 percent of the lesser of the actual charge for the test or the amount equal to 80 percent of the lesser of the actual charge for the test or the amount specified under section 1834(w).

(2) LIMITATION.—Payment for a DSPA test shall be made by the Secretary for all of the specimen obtained from the biopsy furnished to an individual that are tested.

(3) PROHIBITION ON SEPARATE PAYMENT.—No separate payment shall be made for obtaining DNA that was separately taken from an individual at the time of the biopsy described in subparagraph (A).

(4) HCPCS CODE AND MODIFIER ASSIGNMENT.—

(A) IN GENERAL.—The Secretary shall assign one or more HCPCS codes to a prostate cancer DNA Specimen Provenance Assay test and may use a modifier to facilitate making payment under this section for such tests.

(B) IDENTIFICATION OF DNA MATCH ON CLAIM.—The Secretary shall require an indication on a claim for a prostate cancer DNA Specimen Provenance Assay test of whether the DNA of the prostate biopsy specimens match the DNA of the individual diagnosed with prostate cancer. Such indication may be made through use of a HCPCS code, a modifier, or other means, as determined appropriate by the Secretary.

(5) DNA MATCH REVIEW.—

(A) IN GENERAL.—The Secretary shall review at least three years of claims under part B for prostate cancer DNA Specimen Provenance Assay tests to identify whether the DNA of the prostate biopsy specimens match the DNA of the individuals diagnosed with prostate cancer.

(B) POSTING ON INTERNET WEBSITE.—Not later than July 1, 2022, the Secretary shall post on the Internet website of the Centers for Medicare & Medicaid Services the findings of the review conducted under subparagraph (A)."

(c) COST-SHARING.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395a(a)(1)) is amended—

(1) by striking "and (BB)" and inserting "and (BB)"; and

(2) by inserting before the semicolon at the end the following: "and (CC) with respect to such test shall be $200. Such payment shall be payable by the Secretary.

PROTECTING FAMILY AND SMALL BUSINESS TAX CUTS ACT OF 2018

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 1084, I call up the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses, and ask for its immediate consideration.

The Speaker pro tempore. Is there objection to the gentleman from Texas?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SAM JOHNSON of Texas (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

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

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
### Title II—Individual Reform Made Permanent

#### Subtitle A—Rate Reform

**Sec. 101. Modification of rates.**

<table>
<thead>
<tr>
<th>Brackets</th>
<th>Tax Rate</th>
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<tr>
<td>Over $19,050</td>
<td>$905, plus 12% of the excess over $19,050.</td>
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<tr>
<td>Over $51,800 but not over $82,500</td>
<td>$5,944, plus 22% of the excess over $51,800.</td>
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<tr>
<td>Over $13,600 but not over $51,800</td>
<td>$1,360, plus 12% of the excess over $13,600.</td>
</tr>
<tr>
<td>Over $19,050 but not over $51,800</td>
<td>$1,905, plus 12% of the excess over $19,050.</td>
</tr>
<tr>
<td>Over $300,000 but not over $500,000</td>
<td>$80,689.50, plus 37% of the excess over $300,000.</td>
</tr>
<tr>
<td>Over $500,000 but not over $100,000,000</td>
<td>$64,179, plus 32% of the excess over $500,000.</td>
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</table>

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#### Title I—Individual Reform Made Permanent

**Sec. 111. Deduction for qualified business income of the Internal Revenue Code of 1986.**

The table contains the rates for individuals. For example:

- **Over $12,500 but not over $20,000:** $1,839, plus 35% of the excess over $12,500.
- **Over $300,000:** $80,689.50, plus 37% of the excess over $300,000.

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- Title I—Individual Reform Made Permanent
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  - Sec. 121. Increase in standard deduction.
- Title II—Increased Exemption for Alternative Minimum Tax Made Permanent
  - Sec. 201. Increased exemption for individuals.
- Title III—Tax Benefits for Families and Individuals
  - Sec. 141. Repeal of deduction for personal casualty losses.
  - Sec. 142. Limitation on deduction for State and local, etc., taxes.
  - Sec. 143. Limitation on deduction for qualified residence interest.
  - Sec. 144. Modification of deduction for personal casualty losses.
  - Sec. 145. Termination of miscellaneous itemized deductions.
- Title IV—Education
  - Sec. 150. Limitation on wagering losses.
  - Sec. 151. Increase in estate and gift tax exemption.
- Title V—Casualty losses
  - Sec. 152. Limitation on deduction for personal casualty losses.
- Title VI—Flexible Savings Plans
  - Sec. 153. Increased contribution limits for Savings Plans.
- Title VII—Charitable Contributions
  - Sec. 154. Increased contribution limits for charitable contributions.
(B) SPECIAL RULE.—In the case of a table prescribed in lieu of the table contained in subsection (b), (c), or (d), subparagraph (A)

(4) by striking paragraph (8), and

(5) by striking "PLASEOUT OF MARRIAGE PENALTY IN 15-PERCENT BRACKET; ADJUSTMENTS" and inserting "ADJUSTMENTS".

(g) SPECIAL RULES FOR CERTAIN TAXPAYERS WITH UNEMPLOYED INCOME.

(1) IN GENERAL.—Section 1(q) is amended by striking all that precedes paragraph (2) and inserting "(2) SPECIAL RULES FOR CERTAIN TAXPAYERS WITH UNEMPLOYED INCOME.—

(1) IN GENERAL.—In the case of any individual who

(A) MODIFICATIONS TO APPLICABLE RATE BrACKETS.—In determining the amount of tax imposed by this section for the taxable year on such individual, the income tax table otherwise applicable under this section to such child shall be applied with the following modifications:

(1) 24-PERCENT BRACKET.—The maximum taxable income which is taxed at a rate below 24 percent shall not be more than the sum of—

(i) the earned taxable income of such child, plus

(ii) the minimum taxable income for the 24-percent bracket in the table under subsection (e) (as adjusted under subsection (f)) for the taxable year,

(iii) 35-PERCENT BRACKET.—The maximum taxable income which is taxed at a rate below 35 percent shall not be more than the sum of—

(i) the earned taxable income of such child, plus

(ii) the minimum taxable income for the 35-percent bracket in the table under subsection (e) (as adjusted under subsection (f)) for the taxable year,

(iv) 37-PERCENT BRACKET.—The maximum taxable income which is taxed at a rate below 37 percent shall not be more than the sum of—

(i) the earned taxable income of such child, plus

(ii) the amount in effect under subsection (h)(13) for the taxable year, and

(iii) the maximum 35-percent rate amount shall not be more than the sum of—

(i) the earned taxable income of such child, plus

(ii) the amount in effect under subsection (h)(12)(D) for the taxable year.

(2) EARNED TAXABLE INCOME.—Section 1(g)(3) is amended to read as follows:

(3) EARNED TAXABLE INCOME.—For purposes of this subsection, the term ‘earned taxable income’ means, with respect to any child for any taxable year, the taxable income of such child reduced (but not below zero) by the net unrealized income of such child.

(3) IN GENERAL.—Section 1(g) is amended by striking paragraphs (5) of section 1(g) as precedes sub-paragraph (A) thereof and inserting as follows:

(5) SPECIAL RULES FOR DETERMINING PARENT ELIGIBLE TO MAKE ELECTION.—For purposes of paragraph (7), the parent referred to in subsection (f) is amended by striking "the parents" and inserting "the parent".

(h) APPLICATION OF INCOME TAX BRACKETS TO CAPITAL GAINS.—Section 1(h) is amended:

(1) in paragraph (1)(B)(i), by striking "25 per-

cent" and inserting "22 percent", and

(2) in paragraph (1)(C)(ii)(I), by striking "which would (without regard to this para-

graph) be below $100,000", and inserting "below the maximum 15-percent rate amount", and

(3) by adding at the end the following new paragraphs:

(12) MAXIMUM 15-PERCENT RATE AMOUNT DE-

FINED.—For purposes of this subsection, the maximum 15-percent rate amount shall be—

(A) in the case of a joint return or surviving spouse (as defined in section 2(a)), $479,000 (1/2 such amount in the case of a married individual filing a separate return), or

(B) in the case of an individual who is the head of a household (as defined in section 2(b)), $462,000,

(C) in the case of any other individual (other than an estate or trust), $425,800, and

(D) in the case of an estate or trust, $12,700.

(13) DECREASED 15-PERCENT RATE BRACKET FOR ESTATES AND TRUSTS.—In the case of any estate or trust, paragraph (1)(B) shall be applied by treating the amount determined in clause (c)(1) as being equal to $2,800.

(14) INFLATION ADJUSTMENT.—

(A) IN GENERAL.—In the case of any taxable year beginning after 2018, each of the dollar amounts in paragraphs (12) and (13) shall be increased by an amount equal to—

(i) such dollar amount, multiplied by

(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2017’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(B) ROUNDING.—If any increase under subparagraph (A) is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.

(i) APPLICATION OF SECTION 15.—

(1) IN GENERAL.—Subsection (a) of section 15 is amended by striking "if any rate of tax" and inserting "In the case of a corporation, if any rate of tax.

(2) CONFORMING AMENDMENTS.—

(A) Section 15 is amended by striking subsections (d), (e), and (f).

(B) Section 6013(c) is amended by striking "sections 15, 443, and 7851(a)(1)(A)" and inserting "sections 443 and 7851(a)(1)(A)".

(C) The heading of section 15 is amended by inserting "ON CORPORATIONS" after "EFFECT of CHANGES".

(2) EARNED TAXABLE INCOME.—Section 1(g)(3) is amended to read as follows:

(3) EARNED TAXABLE INCOME.—For purposes of this subsection, the term ‘earned taxable income’ means, with respect to any child for any taxable year, the taxable income of such child reduced (but not below zero) by the net unrealized income of such child.

(k) EFFECTIVE DATE.—

(1) IN GENERAL.—Section 199A is amended by striking paragraph (7).

(2) APPLICATION OF SECTION 15.—Section 15 of this chapter for the taxable year an amount

(3) SPECIAL RULES FOR DETERMINING PARENT ELIGIBLE TO MAKE ELECTION.—For purposes of paragraph (7), the parent referred to in subsection (f) is amended by striking "the parents" and inserting "the parent".

(h) APPLICATION OF INCOME TAX BRACKETS TO CAPITAL GAINS.—Section 1(h) is amended:

(1) in paragraph (1)(B)(i), by striking "25 per-

cent" and inserting "22 percent", and

(2) in paragraph (1)(C)(ii)(I), by striking "which would (without regard to this para-

graph) be below $100,000", and inserting "below the maximum 15-percent rate amount", and

(3) by adding at the end the following new paragraphs:

(12) MAXIMUM 15-PERCENT RATE AMOUNT DE-

FINED.—For purposes of this subsection, the maximum 15-percent rate amount shall be—

(A) in the case of a joint return or surviving spouse (as defined in section 2(a)), $479,000 (1/2 such amount in the case of a married individual filing a separate return), or

(B) in the case of an individual who is the head of a household (as defined in section 2(b)), $462,000,

(C) in the case of any other individual (other than an estate or trust), $425,800, and

(D) in the case of an estate or trust, $12,700.

(13) DECREASED 15-PERCENT RATE BRACKET FOR ESTATES AND TRUSTS.—In the case of any estate or trust, paragraph (1)(B) shall be applied by treating the amount determined in clause (c)(1) as being equal to $2,800.

(14) INFLATION ADJUSTMENT.—

(A) IN GENERAL.—In the case of any taxable year beginning after 2018, each of the dollar amounts in paragraphs (12) and (13) shall be increased by an amount equal to—

(i) such dollar amount, multiplied by

(ii) the cost-of-living adjustment determined under subsection (f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2017’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(B) ROUNDING.—If any increase under subparagraph (A) is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.

(i) APPLICATION OF SECTION 15.—

(1) IN GENERAL.—Subsection (a) of section 15 is amended by striking "if any rate of tax" and inserting "In the case of a corporation, if any rate of tax.

(2) CONFORMING AMENDMENTS.—

(A) Section 15 is amended by striking subsections (d), (e), and (f).

(B) Section 6013(c) is amended by striking "sections 15, 443, and 7851(a)(1)(A)" and inserting "sections 443 and 7851(a)(1)(A)".

(C) The heading of section 15 is amended by inserting "ON CORPORATIONS" after "EFFECT of CHANGES".

(2) EARNED TAXABLE INCOME.—Section 1(g)(3) is amended to read as follows:

(3) EARNED TAXABLE INCOME.—For purposes of this subsection, the term ‘earned taxable income’ means, with respect to any child for any taxable year, the taxable income of such child reduced (but not below zero) by the net unrealized income of such child.

(k) EFFECTIVE DATE.—

(1) IN GENERAL.—Section 199A is amended by striking paragraph (7).

(2) APPLICATION OF SECTION 15.—Section 15 of this chapter for the taxable year an amount

(3) SPECIAL RULES FOR DETERMINING PARENT ELIGIBLE TO MAKE ELECTION.—For purposes of paragraph (7), the parent referred to in subsection (f) is amended by striking "the parents" and inserting "the parent".

(h) APPLICATION OF INCOME TAX BRACKETS TO CAPITAL GAINS.—Section 1(h) is amended:

(1) in paragraph (1)(B)(i), by striking "25 per-

cent" and inserting "22 percent", and

(2) in paragraph (1)(C)(ii)(I), by striking "which would (without regard to this para-

graph) be below $100,000", and inserting "below the maximum 15-percent rate amount", and
section (a)(1),
ed to read as follows:

$600.’’.

cation of subparagraph (B)) shall not exceed
crease under subparagraph (A) (after the appli-
lows:

amount equal to—

year beginning after 2018, the $1,400 amount in
amended by inserting after paragraph (3) the
''$2,500’’.

amended by striking ''$3,000’’ and inserting
security number’ means, with respect to a return
purposes of this subsection, the term 'social se-
an organization described in subparagraph (A)
for the taxable year.

States’ in section 7706(b)(3)(A)) whose name and

subsection (f).

10 percent of such contribution base, over so

(A) IN GENERAL.—In the case of a taxable
year beginning after 2018, the $1,400 amount in
paragraph (1)(A)(i) shall be increased by an
amount equal to—

(i) such dollar amount, multiplied by

(ii) without regard to subsection (a)(2), and

(iii) to which subparagraph (A) applies (after the
limitation under section 26(a), or’’.

(2) MODIFICATION OF LIMITATION BASED ON
EARNED INCOME.—Section 26(d)(1)(B)(i) is
amended by striking ''$3,000’’ and inserting
''$2,500’’.

(3) INFLATION ADJUSTMENT.—Section 26(d)
was amended by inserting after paragraph (3) the
following subsection:

''(4) ADJUSTMENT FOR INFLATION.—

(A) IN GENERAL.—In the case of a taxable
year beginning after 2018, the $1,400 amount in
paragraph (1)(A)(i) shall be increased by an
amount equal to—

(i) such dollar amount, multiplied by

(ii) without regard to this subsection and the

limitation under section 26(a), or’’.

(2) EFFECTIVE DATE.—The amendments made
by this section shall apply to taxable years begin-
ning after December 31, 2017.

SECT. 124. INCREASED CONTRIBUTIONS TO ABLE ACCOUNTS.

(a) INCREASE IN LIMITATION FOR CONTRIBUTIONS FROM COMPENSATION OF INDIVIDUALS WITH DISABILITIES.—Section 529A(b)(2)(B)(i) is amended by striking ‘‘before January 1, 2026’’.

(b) ALLOWANCE OF SAVINGS CREDIT FOR ABLE CONTRIBUTIONS.—Section 529A(b)(2)(B)(ii) is amended by striking ‘‘before January 1, 2026’’.

(c) EFFECTIVE DATE.—The provisions made by this section shall apply to contributions made after December 31, 2017.

SECT. 125. ROLLOVERS TO ABLE PROGRAMS FROM 529 PROGRAMS.

(a) IN GENERAL.—Section 529(c)(3)(C)(i)(III) is amended by striking ‘‘before January 1, 2026’’.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made after December 31, 2017.

SECT. 126. TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) IN GENERAL.—Section 112(c)(2)(C) is amended—

(1) by striking ‘‘means any area’’ and insert-
ing ‘‘means—

(A) any area, and

(B) the Sinai Peninsula of Egypt.’’;

(2) by striking paragraph (B), and

(b) PERIOD OF TREATMENT.—Section 112(c)(3) is amended—

(1) by striking ‘‘only if performed’’ and insert-
ing ‘‘only if—

(A) in the case of an area described in para-
graph (2)(A), such service is performed, and

(B) in the case of the Sinai Peninsula of Egypt, such service is performed during any period with respect to which one or more

members of the Armed Forces of the United States are entitled to special pay under section 310 of title 37, United States Code (relating to special pay; duty subject to hostile fire or immi-
grant danger), for service performed in such area’’;

(c) CONFORMING AMENDMENT.—The Tax Cuts and Jobs Act is amended by striking section 11026.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

SECT. 127. EXTENSION OF REDUCTION IN THRESH-OLD FOR MEDICAL EXPENSE DEDUCTION.

(a) IN GENERAL.—Section 213(a) is amended by inserting ‘‘7.5 percent in the case of any taxable year beginning after December 31, 2018, and ending before January 1, 2021’’ after ‘‘10 per-
cent’’.

(b) CONFORMING AMENDMENTS.—(1) Section 26(b)(1) is amended by striking subparagraph (B) and redesignating subpara-
graphs (C) through (F) as subparagraphs (B) through (E), respectively.

(2) Section 213 is amended by striking sub-
section (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2018.

Subtitle D—Education

SECT. 131. TREATMENT OF PAST-DUE LOANS DISCHARGED ON ACCOUNT OF DEATH OR DISABILITY.

(a) IN GENERAL.—Section 108(f)(5) is amended by striking ‘‘after December 31, 2017, and before January 1, 2026’’.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of ind-
debtedness after December 31, 2018.

Subtitle E—Deductions and Exclusions

SECT. 141. REPEAL OF DEDUCTION FOR PERSONAL EXEMPTIONS.

(a) IN GENERAL.—Part V of chapter 2 of title 26 is hereby repealed.

(b) DEFINITION OF DEPENDENT RETAINED.—Section 152, prior to the repeal made by subsection (a), is hereby redesignated as section 7706 and moved to the end of chapter 79.

(c) APPLICATION TO TRUSTS AND ESTATES.—Section 642(b) is amended—

(1) in paragraph (2)(C)(ii), by striking ‘‘the exemption amount under section 151(d)’’ and all that fol-
 lows through the period at the end and insert-
ing ‘‘the dollar amount in effect under section 7703(b)(1),’’; and

(B) by striking clause (iii),

(2) by striking paragraph (3), and

(c) by striking ‘‘DEDUCTION FOR PERSONAL EXEMPTION’’ in the heading thereof and insert-
ing ‘‘BASIC DEDUCTION’’.

(d) APPLICATION TO NONRESIDENT ALIENS.—Section 871(b) is amended by striking paragraph (3).

(e) MODIFICATION OF RETURN REQUIREMENT.—(1) IN GENERAL.—Section 6001(a)(1) is amended to read as follows:

‘‘(1) every individual who has gross income for the taxable year, except that a return shall not be required of—

(A) an individual who is not married (deter-
mined by applying section 7703) and who has gross income for the taxable year which does not exceed the standard deduction applicable to such individual for such taxable year under section 63, or

(B) an individual entitled to make a joint re-
turn’’;

(2) the gross income of such individual, when combined with the gross income of such individual’s spouse, for the taxable year does not exceed the standard deduction which would be appl-
cable for such taxable year under section 63 if such individual and such individual’s spouse made a joint return,
“(i) such individual’s spouse does not make a separate return, and
“(ii) neither such individual nor such individual’s spouse is an individual described in section 63(c)(1) (other than earned income) in excess of the amount in effect under section 63(c)(4)(A).”.

(2) BANKRUPTCY ESTATES.—Section 6012(a)(8) is amended by striking “the sum of the exemption amount plus the basic standard deduction under section 63(c)(2)(C)” and inserting “the standard deduction in effect under section 63(c)(4)(A)”.

(3) CONFORMING AMENDMENT.—Section 6012 is amended by striking subsection (i).

(4) CONFORMING AMENDMENTS.—

(a) In paragraph (A), as amended by section 121, (1) in the matter preceding clause (i)—
(i) by striking “section 152(c)” and inserting “section 7706(c),”;
(ii) by striking “section 152(e)” and inserting “section 7706(e),”;

(b) By striking “the sum of the exemp-
tion amount plus the basic standard deduction under section 63(c)(2)(C)” and inserting “the standard deduction in effect under section 63(c)(4)(A)”.

(b) In paragraph (B), by striking “(other than with respect to section 151(n)(4))” and inserting “(other than with respect to section 151(n)(4))”.

(2) Section 1(g)(5)(A) is amended by striking “section 152(e)” and inserting “section 7706(e).”

(iii) By striking “section 152(e)” and inserting “section 7706(e),”

(ii) by striking “section 152(e)” and inserting “section 7706(e),”

(b) In subclause (II), by striking “section 152(b),” and inserting “section 7706(b),”

(3) Section 2(a)(1)(B) is amended—

(A) by striking “section 152” and inserting “section 7706,” and

(B) by striking “with respect to whom the tax-
payer is entitled to a deduction under the taxable year for such person and the taxpayer included such person’s TIN on the return of tax for the taxable year”,

(4) Section 2(b)(1)(A)(i) is amended—

(A) in the matter preceding clause (i)—

(i) by striking “section 152(c)” and inserting “section 7706(c),” and

(ii) by striking “section 152(e)” and inserting “section 7706(e),”

(B) in subclause (II), by striking “section 152(b),” or “section 152(c),” and inserting “section 7706(b),”

(5) Section 2(b)(1)(A)(iii) is amended by striking “if the taxpayer is entitled to a deduction for the taxable year for such person under section 151 for such taxable year with respect to such dependent” and inserting “if the taxpayer included such person’s TIN on the return of tax for the taxable year”,

(6) Section 2(b)(1)(B) is amended by striking “if the taxpayer is entitled to a deduction for the taxable year for such father or mother under section 151” and inserting “if such father or mother is a dependent of the taxpayer and the taxpayer included such father or mother’s TIN on the return of tax for the taxable year”,

(ii) By striking “section 152(d)” and inserting “section 7706(d),”

(iii) By striking “section 152(d)” and inserting “section 7706(d),”

(8) Section 2(b)(2)(A) is amended by striking “section 152(a)(1)” and inserting “section 7706(a)(1),”

(9) Section 21(b)(1)(B) is amended by striking “section 152” and inserting “section 7706,”

(iii) The additional standard deduction is, in the case of each individual who is a dependent of the taxpayer for the taxable year, the amount determined in the same manner as if such individual were the taxpayer and such individual’s phase-out amount were zero.

(10) Section 21(e)(5)(A) is amended by striking “section 152(e)” and inserting “section 7706(e),”

(11) Section 21(e)(5)(B) is amended by striking “section 152(e)(4)(A)” in the matter following subparagraph (B) and inserting “section 7706(e)(4)(A).”

(12) Section 21(e)(6)(A) is amended to read as follows:

“(A) who is a dependent of either the tax-
payer or the taxpayer’s spouse for the taxable year,” or

(13) Section 21(e)(6)(B) is amended by striking “section 152(d)(1)” and inserting “section 7706(d)(1).”

(14) Section 25A(f)(1)(A)(iii) is amended by striking “with respect to whom the taxpayer is a dependent under section 151,”

(iii) by striking “section 152(c)” and inserting “section 7706(c),”

(ii) by striking “section 152(e)” and inserting “section 7706(e),”

(2) Section 31(c)(1)(A) is amended—

(C) by striking “section 152(d)(2)” and inserting “section 7706(d)(2),”

(3) Section 31(c)(1)(B) is amended—

(A) by striking “section 152(d)(2)” and inserting “section 7706(d)(2),”

(4) Section 31(c)(1)(C) is amended—

(A) by striking “section 152(d)(2)” and inserting “section 7706(d)(2),”

(B) by striking “section 152(d)(2)” and inserting “section 7706(d)(2),”

(5) Section 56(b)(1)(D), as amended by the preceding provisions of this Act, is amended—

(A) by striking “section 152(f)” and inserting “section 7706(f),”

(B) by striking “section 152(f)” and inserting “section 7706(f).”
(B) by striking "section 152(e)" and inserting "section 7706(e)".
(45) Section 139(d)(5) is amended by striking "section 152" and inserting "section 7706".
(46) Section 326(c)(2) is amended by striking "section 152" and inserting "section 7706".
(47) Section 152(a)(1)(D) is amended by striking "section 152(f)(1)" and inserting "section 7706(f)(1)".
(48) Section 170(a)(1) is amended by striking "section 152" and inserting "section 7706".
(49) Section 170(a)(1) is amended by striking "section 152(d)(2)" and inserting "section 7706(d)(2)".
(50) Section 172(d) is amended by striking paragraph (b).
(51) Section 213(a) is amended by striking "section 152" and inserting "section 7706".
(52) Section 213(d)(5) is amended by striking "section 152(e)" and inserting "section 7706(e)".
(53) Section 213(d)(11) is amended by striking "section 152(d)(2)" in the matter following subparagraph (B) and inserting "section 7706(d)(2)".
(54) Section 220(b)(6) is amended by striking "with respect to whom a deduction under section 151 is allowable to" and inserting "who is a dependent of".
(55) Section 220(d)(2)(A) is amended by striking "section 152" and inserting "section 7706".
(56) Section 221(d)(4) is amended by striking "section 152" and inserting "section 7706".
(57) Section 222(c) is amended by striking "with respect to whom a deduction under section 151 is allowable to" and inserting "who is a dependent of".
(58) Section 223(b)(6) is amended by striking "with respect to whom a deduction under section 151 is allowable to" and inserting "who is a dependent of".
(59) Section 223(d)(2)(A) is amended by striking "section 152" and inserting "section 7706".
(60) Section 401(a)(2)(B)(ii)(I) is amended by striking "section 152(a)" and inserting "section 7706(a)".
(61) Section 441(f)(2)(B)(ii) is amended by striking "(i)" but only the adjusted amount of the deductions for personal exemptions as described in section 441(c),".
(62) Section 409(a)(2)(B)(ii) is amended by striking paragraph (c) and (d), respectively.
(63) Section 401(c)(9) is amended by striking "section 152(f)(1)" and inserting "section 7706(f)(1)".
(64) Section 529(e)(2)(B) is amended by striking "section 152(d)(2)" and inserting "section 7706(d)(2)".
(65) Section 529(e)(4) is amended—
(A) by striking "section 152(d)(2)(B)" and inserting "section 7706(d)(2)(B)",
(B) by striking "section 152(j)(1)" and inserting "section 7706(j)(1)".
(66) Section 643(a)(2) is amended—
(A) by striking "relating to deduction for personal exemptions" and inserting "relating to basic deduction for personal exemptions."
(B) by striking "DEDUCTION FOR PERSONAL EXEMPTION" in the heading thereof and inserting "BASIC DEDUCTION".
(C) paragraph (a) is amended by striking subparagraph (A) and by redesignating subparagraphs (B) through (F) as subparagraphs (A) through (E), respectively.
(D) paragraph (b) is amended by striking subsection (b) and by redesignating subsection (c) as subsection (b).
(71) Section 801 is amended by striking "under section 151 and".
(72) Section 904(b)(1) is amended to read as follows:
"(1) DEDUCTION FOR ESTATES AND TRUSTS.—For purposes of subsection (a), the taxable income of an estate or trust shall be computed without any deduction under section 642(b).
(73) Section 912(b)(1) is amended to read as follows:
"
(74) (B) by striking paragraph (4). (88) Section 702B(3)(C)(iii) is amended by striking "section 152(d)(2)" and inserting "section 7706(d)(2)".
(89) Section 702(a) is amended by striking "part V of chapter B of chapter 1 and".
(90) Section 702(d)(1) is amended by striking "section 152(f)(1))" and all that follows and inserting "section 7706(f)(1)) who is a dependent of such individual for the taxable year (or would be but for section 7706(c))."
(91) Section 706(a), as redesignated by this section, is amended by striking "this subtitle" and inserting "this subtitle.
(92) Section 706(d), as redesignated by this section, is amended by adding at the end the following new paragraph:
"(D) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year beginning after 2018, the $15,000 amount in paragraph (1)(B) shall be increased by an amount equal to:
"
(93) Section 706(e), as redesignated by this section, is amended by inserting "(as in effect before its repeal)" after "section 151",".
(94) Section 7706(e)(3), as redesignated by this section, is amended by striking clause (i) and designating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively.
(95) The table of parts for subchapter B of chapter 1 is amended by striking the item relating to part A.
(96) The table of sections for chapter 79 is amended by adding at the end the following new item:
"(97) SEC. 7706. Dependent defined.".
(98) (G) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 142. LIMITATION ON DEDUCTION FOR STATE AND LOCAL, ETC. TAXES.

(A) IN GENERAL.—Section 641(b) is amended by striking all that precedes "The preceding sentence and inserting the following:
"
(6) LIMITATION ON INDIVIDUAL DEDUCTIONS.—In the case of an individual—
"
(7) (A) no deduction shall be allowed under this chapter for foreign real property taxes paid or accrued during the taxable year.
(B) the aggregate amount of the deduction allowed under this chapter for taxes described in paragraphs (1), (2), and (3) of subsection (a) of this section (or, in the case of a married individual filing a separate return, that portion of the deduction attributable to the spouse filing the separate return) for a taxable year shall not exceed $10,000 ($5,000 in the case of a married individual filing a separate return)."

(99) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.
SEC. 143. LIMITATION ON DEDUCTION FOR QUALIFIED RESIDENCE INTEREST.

(a) INTEREST ON HOME EQUITY INDEBTEDNESS.—Section 163(h)(3)(A) is amended by striking “‘during the taxable year on’” and all that follows through “residence of the taxpayer,” and inserting “during the taxable year on acquisition with respect to any qualified residence of the taxpayer.”

(b) LIMITATION ON ACQUISITION INDEBTEDNESS.—Section 163(h)(3)(B)(ii) is amended to read as follows:

“(ii) LIMITATION.—The aggregate amount treated as acquisition indebtedness for any period shall not exceed the lesser of—

“(I) $750,000 ($375,000, in the case of a married individual filing a separate return), or

“(II) the aggregate outstanding pre-October 13, 1987, indebtedness (as defined in subparagraph (D)) plus the aggregate outstanding pre-December 15, 2017, indebtedness (as defined in subparagraph (C)).”

(c) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE DECEMBER 15, 2017.—Section 163(h)(3)(C) is amended to read as follows:

“(C) TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE DECEMBER 15, 2017.—

“(i) IN GENERAL.—In the case of any pre-December 15, 1987, indebtedness, subparagraph (B)(ii) shall not apply and the aggregate amount of such indebtedness treated as acquisition indebtedness for any period shall not exceed the lesser of—

“(I) $1,000,000 ($500,000, in the case of a married individual filing a separate return), or

“(II) the aggregate outstanding pre-October 13, 1987, indebtedness (as defined in subparagraph (D)).”

(ii) PRE-DECEMBER 15, 2017, INDEBTEDNESS.—For purposes of paragraph (i),—


“(II) BINDING WRITTEN CONTRACT EXCEPTION.—In the case of a taxpayer who enters into a written binding contract before December 15, 2017, to close on the purchase of a principal residence before January 1, 2018, and who purchases such residence before April 1, 2018, the term ‘pre-December 15, 2017, indebtedness’ shall include indebtedness secured by such residence.

“(iii) REFINANCING INDEBTEDNESS.—In the case of any indebtedness that is refinanced, such refinanced indebtedness shall be treated for purposes of this subsection as incurred on the date that the original indebtedness would have been incurred if such refinancing had not taken place, as follows:

“(A) Any amount after adjustment under subparagraph (B) that is treated as refinanced indebtedness shall be treated as acquisition indebtedness.

“(B) The aggregate amount treated as acquisition indebtedness for any period shall not exceed the lesser of—

“(i) $750,000 ($375,000, in the case of a married individual filing a separate return), or

“(ii) the aggregate outstanding indebtedness resulting from such refinancing, or

“(iii) the aggregate outstanding indebtedness on the date such refinancing is treated for purposes of this subsection as incurred, or

“(iv) the aggregate outstanding indebtedness after such refinancing.”

“ID LIMITATION ON PERIOD OF REFINANCING.—Subclause (I) shall not apply to any indebtedness after the expiration of the term of the original indebtedness or, if the principal of such original indebtedness is not amortized over its term, the expiration of the term of the 1st refinancing of such indebtedness (or if earlier, the date which is 30 years after the date of such 1st refinancing).”

(d) COORDINATION WITH TREATMENT OF INDEBTEDNESS INCURRED ON OR BEFORE OCTOBER 13, 1987.—Section 163(h)(3)(D) is amended—

“(1) by inserting clause (ii) and redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively, and

“(2) in clause (iii) (as so redesignated)—

“(A) by striking ‘clause (ii)’ and inserting ‘clause (ii)’; and

“(B) by striking ‘clause (iii)’ in subclauses (I) and (II) and inserting ‘clause (iii)’.”

(e) LIMITATION ON EXCLUSION FROM DISCHARGE OF INDEBTEDNESS.—Section 108(h)(2) is amended by striking “$1,000,000 ($500,000) and inserting “$750,000 ($375,000).”

(f) AMENDMENT.—Section 163(h)(3) is amended by striking subparagraph (F).
(1) by amending subsection (a) to read as follows:

“(a) DEDUCTION ALLOWED.—There shall be al-
lowed as a deduction moving expenses paid or in-
curred during the taxable year by a member of
the Armed Forces of the United States on active
duty who moves pursuant to a military order
and incident to a permanent change of sta-
duty who moves pursuant to a military order
of the Armed Forces of the United States on active
duty who moves pursuant to a military order,

(2) by striking subsections (c), (d), (f), and (g)
and redesignating subsections (h), (i), (j), and
(k) as subsections (c), (d), (f) and (g), respect-
ively,

(3) by inserting after subsection (d), as so re-
designated, the following new subsection:

“(e) EXPENSES PURSUANT TO MILITARY OR
DER.—Any mov-
ing and storage expenses which are furnished in
kind (or for which reimbursement or an alle-
nee is provided, but only to the extent of the
expenses paid or incurred) —

(1) to such member, his spouse, or his de-
pendents, shall not be includible in gross in-
come, and no reporting with respect to such ex-
spenses shall be required by the Secretary of De-
fense or the Secretary of Transportation, as the
case may be, and

(2) to such member’s spouse and his depend-
ents with regard to moving to a location other
than the one to which such member moves (or
from a location other than the one from which
such member moves) this section shall apply
without respect to the moving expenses of his
spouse and dependents as if his spouse com-
mented work as an employee at a new principal
place of work by reason of such service.

(b) CONFORMING AMENDMENTS.—

(1) Subsections (d)(3)(C) and (e) of section 23
are each amended by striking “section
217(h)(2)” and inserting “section 217(c)(2)”.

(2) Section 7872(f) is amended by striking para-
graph (1),

(3) Section 217 is amended in the heading by
striking “MOVING EXPENSES” and inserting
“CERTAIN MOVING EXPENSES OF MEMBERS
OF ARMED FORCES”.

(4) The last table of sections for part VII of sub-
chapter B of chapter 1 is amended by striking the
item relating to section 217 and inserting the
following new item:

“Sec. 217. Certain moving expenses of members of
Armed Forces.”.

(c) EFFECTIVE DATE.—The amendments made
by this section shall apply to taxable years begin-
nings after December 31, 2017.

SEC. 150. LIMITATION ON WAGERING LOSSES.

(a) IN GENERAL.—Section 165(d) is amend-
ed by striking “(A) the applicable credit amount
under subparagraph (A) in the case of a tax-
payer described in paragraph (1)(B) or (1)(C),

“(B) the cost-of-living adjustment determined
with respect to the moving expenses of his
such member moves), this section shall apply
from a location other than the one from which
such member moves (or
than the one to which such member moves (or
(f) MODIFICATIONS TO GIFT TAX PAYABLE TO
AMENDED.—Section 2505(a)(2).”.

(b) Effect of Amendment.—Section 2505(a)(2) is
amended by striking “calendar year 2017” for “calendar
year 2016”.

(c) EFFECTIVE DATE.—The amendments made
by this section shall apply to taxable years begin-
nings after December 31, 2017.

TITLe III—BUDGETARY EFFECTS

SEC. 151. INCREASE IN ESTATE AND GIFT TAX EX-
EMPTION

(a) In General.—Section 2010(c)(3) is amend-
ed in subparagraph (A), by striking “$5,000,000” and
inserting “$10,000,000”.

(b) CONFORMING AMENDMENTS.—

(1) Section 2001(g) is amended to read as fol-
lores:

“(g) MODIFICATIONS TO GIFT TAX PAYABLE TO
REFLECT DIFFERENT TAX RATES.—For purposes of
applying subsection (b)(2) with respect to 1 or
more gifts, the rates of tax under subsection (c)
in effect at the decedent’s death shall, in lieu of
the rates of tax in effect at the time of such
gifts, be used both to compute—

“(1) the tax imposed by chapter 12 with re-
spect to such gifts, and

“(2) the credit allowed against such tax under
section 2605, in computing—

“(A) the applicable credit amount under
section 2505(a)(1), and

“(B) the sum of the amounts allowed as a credit
for all preceding periods under section
2505(a)(2).”.

(b) Effect of Amendment.—Section 2010(c)(3) is amended by striking subparagraph (C),

(c) EFFECTIVE DATE.—The amendments made
by this section shall apply to estates of dece-
dents dying and gifts made after December 31, 2017.

TITLE II—INCREASED EXEMPTION FOR AL-
TERNATIVE MINIMUM TAX MADE PERMA-
NENT

SEC. 152. INCREASED EXEMPTION FOR INDIVID-
UALS.

(a) In General.—Section 55(d)(1) is amend-
ed by striking “$78,750” in subparagraph (A) and
inserting “$109,400”,

(b) Effect of Amendment.—Section 55(d)(1) is amended by striking “$78,750” in subparagraph (A) and inserting “$109,400”.

(c) EFFECTIVE DATE.—The amendments made
by this section shall apply to taxable years begin-
nings after December 31, 2017.

TITLe IV—BUDGETARY ESTIMATES

SEC. 153. BUDGETARY ESTIMATES.

(a) STATUTORY PAYGO SCORECARDS.—The budg-
etary effects of this Act shall not be entered on
either PAYGO scorecard maintained pursu-
tant to section 4(d) of the Statutory Pay-As-You-
Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The bud-
getary effects of this Act shall not be entered on
either PAYGO scorecard maintained for
pursposes of section 409E of H. Con. Res. 71 (115th Congress).

The SPEAKER pro tempore. The bill,

as amended, shall be debatable for 1
time divided equally and controlled by the
chair and ranking minority mem-
ber of the Committee on Ways and
Means.

The gentleman from Texas (Mr. BRADY) and the gentleman from Massa-
achusetts (Mr. Neal) each will control 30
minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Mr. Speaker, I ask
unanimous consent that all Mem-
ers may have 5 legislative days in
which to revise and extend their re-
marks and include extraneous material
on H.R. 6760, currently under consider-
ation.

The SPEAKER pro tempore. Is there
no objection to the request of the gen-
tleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may con-
sume.

Mr. Speaker, for far too long, hard-
working American taxpayers watched as
an entitled Federal Government took a bigger and bigger slice from their family’s budget. But
that changed last year. With the Tax Cuts
and Jobs Act, we choose you, the hard-
working taxpayers of this country.

With our new Tax Code, we were de-
termined to let you keep more of what
you earn. Tax cuts for working fam-
ilies, buy, have the results been incredible.

Eight months later, we have seen an
economic turnaround with more jobs,
bigger paychecks, and historic Main Street optimism. We have gone from asking, Where are the workers?”

One Main Street small-business owner recently told me that, thanks to the new Tax Code, they are hiring more, giving bonuses, buying more equipment, and, as he said, they are set
to have their best year ever.

This has meant real change for real
people, with nearly 1.7 million new jobs
created just since January, and pay-
sales growing at their fastest rate in
9 years.

While this economic turnaround for
America has come as a shock to oppo-
nents of the new Tax Code here in
Washington, it is no surprise to mil-
lions of hardworking families and
small businesses across America who
were overtaxed and overregulated far
too long.

Thanks to our new pro-growth Tax
Code, there is new hope and a new opti-
mism in America that wasn’t here be-
fore. To call it a sudden change from
the sluggish Obama-era economy would
be an understatement. For a decade, it
was like America’s economy was going
through a 25-mile-per-hour zone.

Now that the high taxes and the un-
competitive regulations of our Demo-
ocratic friends are gone, we are on an
open highway again. It is critical that
we keep this strong momentum going,
especially for Americans who were hit
hardest by the Great Recession.

That is what this bill before us today
is all about. By making the new code
permanent for our families and small
businesses, the Protecting Family and
Small Business Tax Cuts Act will keep
America’s economy booming and mid-
dle class families growing again.

In fact, the nonpartisan Tax Founda-
tion estimates that this bill will add 1.5
million new jobs and increase Amer-
ica’s economy over 2 percent. That is
economic turnaround for America
would
be
an
understatement. For a decade, it
was like America’s economy was going
through a 25-mile-per-hour zone.
Now that the high taxes and the un-
competitive regulations of our Demo-
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Small Business Tax Cuts Act will keep
America’s economy booming and mid-
dle class families growing again.

In fact, the nonpartisan Tax Founda-
tion estimates that this bill will add 1.5
million new jobs and increase Amer-
ica’s economy over 2 percent. That is
on top, as I said, of the 1.7 million new
jobs we have already seen created since
President Trump signed the new Tax
Code into law.
We don’t want to go back to the bad old days of higher taxes, with Washington taking more of what our single moms, our hardworking parents, and our Main Street-owned business owners have worked so hard to earn. We don’t want to go back to the bad old days when Main Street wasn’t hiring, and our economic growth was putting along.

So given the choice between keeping taxes high and allowing families to keep more of their money, Republicans chose, and continue to choose, the American people.

I thank Representative RODNEY DAVIS for introducing this bill, and Representative MARK MEADOWS and Representative MARK WALKER, along with all of our Republican Ways and Means members, for being the original cosponsors and leaders of this bill.

In closing, empowering families to run their own lives is at the heart of the American Dream. It is the key to America’s economic success, and it is the reason that 8 months after tax reform became law, Americans are more hopeful about their future and the American Dream.

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

Mr. NEAL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in opposition to the Republican tax sham.

It has been 8 months since the Republican tax bill passed, and its massive, unpaid-for tax cut without a single Democratic vote. At that time, Democrats and independent experts warned that their so-called tax reform plan that wasn’t paid for and that was so heavily skewed to the wealthy and big corporations would harm our economy and damage important programs like Medicare and Social Security.

Now we are beginning to see what many of us feared coming true. Health insurers in State, corporate Australia are announcing higher premiums for next year, while health coverage for those living with preexisting conditions happens to be on the chopping block.

To make matters worse, the Medicare trustees have cut 3 years off the life of the Medicare trust fund because of the Republican tax bill.

Think of it: This vote today will add $651 billion to the national debt, as I noted a moment ago, adds $2.3 trillion to the debt.

So that people understand, this is all borrowed money that will go to corporations and high-income earners, who undoubtedly will receive the bulk of these benefits in the tax cut.

Now, Republicans want to give the most well-off and well-connected Americans even more tax cuts with their new proposal, again, emphasizing the healthy dividend of $2 trillion of debt, all based upon borrowed money.

The Republicans are doubling down on this tax law’s attack and, once again, harming the American middle class. There is nothing new here that comes to the aid of the middle class, because they give it to them on one hand and take it away on the other.

This proposal would make permanent the $10,000 cap on the State and local tax deduction for individuals, even while corporations will face no limits on their SALT deductions. This, at the same time, we should recognize, eliminates many tax incentives and pretty important tax incentives for middle class families to get ahead.

So, once again, this package, like the one before it, is being rushed through with no hearings, with no witnesses, and with no input from stakeholders. A rushed and lopsided process resulted in the disaster that we voted on just weeks ago. In fact, my staff has identified more than 100 problems with this proposal, and we are happy to share those with any who are interested.

The proposal that we are voting on today is reckless, and it is a cut for the wealthy that leaves behind hard-working families.

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

Mr. BRADY of Texas. Mr. Speaker, I am proud to yield 2 minutes to the gentleman from Illinois (Mr. DAVIS), the leader and the original sponsor of his bill.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today in strong support of my bill, H.R. 6760, the Protecting Family and Small Business Tax Cuts Act of 2018.

Mr. Speaker, I thank Chairman BRADY, the entire Ways and Means Committee, and the Ways and Means staff for their hard work in getting tax reform 2.0 to the House floor.

Last December, this Congress passed the Tax Cuts and Jobs Act. That legislation was the first major tax reform in 31 years and is our promise to bring tax relief to middle class families across the country.

In fact, in my district in central Illinois, the average family of four making the median income of $78,500 will see a tax cut of roughly $2,200 this year. That is certainly not crumbs, Mr. Speaker.

Since passage of tax reform, we have seen historic growth in our economy. It currently sits at 3.9 percent unemploy-ment, with approximately 6.6 million new jobs, and a GDP last quarter of 4.2 percent. With companies raising wages and increasing benefits, it is no wonder 90 percent of workers are seeing bigger paychecks, thanks to last year’s tax cuts.

Unfortunately, last year, the constraints of the budget reconciliation process in the Senate forced us to sunset many of the provisions found within that act. H.R. 6760 simply makes those sunsetting provisions permanent.

These provisions include the expanded child tax credit, which we increased from $1,000 to $2,000; the new double standard deduction; and the improved tax brackets, which have lowered rates for all taxpayers.

As the economy continues to reach new heights, H.R. 6760 represents our continued commitment to the millions of hardworking middle class Americans who have benefited from the tax cuts enacted last year.

Mr. Speaker, I urge my colleagues to support middle class families by voting for this bill.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BRADY), a very valued member of the Ways and Means Committee.

Mr. THOMPSON of California. Mr. Speaker, I rise in opposition to this bill.

This bill represents a gross disregard for the responsibilities entrusted to us by our constituents. We are the stewards of Medicare, a critical support for nearly every American at some point in their lives. This bill will trigger hundreds of millions of dollars in across-the-board cuts to that important program.

We are responsible for the Federal Tax Code, a charge that requires us to consider tax proposals fully and fairly. Yet we will vote on this unpaid-for tax bill developed behind closed doors without the benefit of a single hearing. Most important, we are the custodians of the Federal budget.

With passage of this bill, Republicans will have added more than $3 trillion to our national debt in less than a year. This is a handout for the rich at the expense of our children and our grandchildren. It is an excuse for the major-ity party to ransack Medicare and Social Security. It is dangerous, and it is reckless. We should vote “no” on this bill.

Mr. BRADY of Texas. Mr. Speaker, I am very proud to yield 3 minutes to the gentleman from North Carolina (Mr. HOPKINSON), one of the three original leaders of this bill.

Mr. WALKER. Mr. Speaker, the Tax Cuts and Jobs Act has transformed the economy, delivering economic growth in the form of more jobs, bigger paychecks, increased investment, and historically low small business optim-ism.

Today, I rise in support as an original cosponsor of H.R. 6760, the Protecting Family and Small Business Tax Cuts Act of 2018.

I thank Chairman BRADY for his tireless work over the last year and a half to make this legislation possible, continuing to build on the success of the
Tax Cuts and Jobs Act by locking in those tax cuts for individuals, families, and small businesses. Today’s bill makes permanent the transformational tax reforms included in the legislation we enacted last December.

Mr. Speaker, locking in those important reforms provides certainty and enhances growth. In fact, according to the Tax Foundation’s analysis, making these reforms permanent will create 1.5 million new jobs, increase wages by nearly $9,000 per worker, and increase the overall GDP by 2.2 percent.

Those are facts. Locking in these important reforms reduces burdensome complexity. Because of this legislation, the vast majority of individuals and families will choose the enhanced standard deduction and will no longer need to do the recordkeeping required for itemizing deductions.

The alternative minimum tax, which requires individuals and families to calculate their tax twice each year and pay the higher amount, will be eliminated for close to 96 percent of those who have had to pay in 2017. A recent Tax Foundation study shows that a reduction in time spent on tax compliance that is expected to come from the simplification in the Tax Cuts and Jobs Act will, indeed, translate into savings of $3.1 billion to $5.4 billion for individuals and families.

Locking in these important reforms will all the small businesses that fuel the American economy. The Tax Cuts and Jobs Act delivered lower tax rates in a new 20 percent deduction for pass-through business income. Today’s bill locks in those benefits.

Mr. Speaker, now is the time to keep our economy booming and protect the family and small businesses to make future investments and permanence will allow our small businesses to know they can keep more of their taxes. The initial version of tax reform which we delivered last year provided permanent tax relief, and our families, farmers, ranchers, and small businesses deserve the certainty of knowing their taxes will not increase. I am disappointed we could not get this permanence through the Senate rules that allowed it to just be temporary. I am hoping that the other side will join us today in making sure we have another opportunity to do so.

This year our economy is booming with economic growth continuing above 3 percent, and the certainty of permanence will allow our small businesses to make future investments and families to know they can keep more of their paychecks as well as plan for the future.

Mr. Speaker, I urge strong support for this bill.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS), who is a very valuable member of the Ways and Means Committee and the voice of Chicago.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong opposition to another tax giveaway to the wealthiest in this country who need it the least. The Republicans’ tax cut already has damaged the health of the Medicare trust fund. This bill is more of the same.

After decades of wage stagnation, when over 41 million laborers earn less than $12 an hour, when most none of their employers offer health insurance, when more than one-quarter of Americans struggle to cover housing costs, this Republican bill helps millionaires giving an average tax cut of over $39,000 to the top 1 percent.

The Republican bill will permanently double the tax on 40 million families due to the cap on the State and local income tax deduction. The Republican bill permanently takes away critical personal exemptions from millions of families with children which we need to help. We need to help hardworking, middle-class citizens. We don’t need to give $39,000 tax breaks to the wealthy.

Mr. NEAL. Mr. Speaker, a reminder, this is $3 trillion of borrowed money for this tax plan that the Republicans are offering.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND), who is a very important member of the Ways and Means Committee.

Mr. KIND. Mr. Speaker, I rise in opposition to this legislation because this bill today, again, shatters one of the greatest cons ever perpetrated on the American people, that the modern-day national Republican Party is the party of fiscal responsibility.
Mr. Speaker, there are dozens of other stories that I could tell you from folks across the State of South Dakota of the benefits of tax reform. Our energy costs have gone down. Our utility bills have gone down. Companies have paid increasing wages for families. They have also paid out bonuses. The tax cuts have been life changing for many in our State.

With that passage and with the passage of this bill today, we have the opportunity to ensure the upward economic trajectory we have experienced because of a permanent culture of growth and stability that is rooted in the Tax Code.

So tax reform 2.0 is going to make sure that with the benefits families are enjoying today they will still be able to enjoy them long into the future. While no tax plan is perfect in everybody's eyes, I am optimistic that this package today will have a huge benefit for the people of South Dakota. Our Tax Code should help people, not punish them.

Mr. Speaker, I urge my colleagues to join me in support of my legislation today.

Mr. NEAL. Mr. Speaker, a reminder that this adds $3 trillion of debt that is all borrowed money.

Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), who is a champion of all issues related to infrastructure in America.

Mr. BLUMENAUER. Mr. Speaker, I heard the gentlewoman from South Dakota talk about all the stories that she could tell. Sadly, that is what our Republican friends have done. They want to tax our engines, not the people who own those engines. They are afraid to have hearings from the people whom this affects. We haven't heard from the experts, from the academics, and from people in business. They were afraid to have hearings on their tax bill, rushing it through, and they didn't even know what was in it.

Now they are doubbling down, adding another trillion dollars of debt without having a foundation factually to let the people know what is going on.

I look at the Budget. They have declared war on Social Security and on Medicare. They understand that it is not sustainable. The tax cuts don't pay for themselves. They are putting at risk things that America cares about—like Social Security and like Medicare—fundamental issues that matter.

I hope that if the American public realizes what is going on, they will not be afraid to have hearings from the people whom we are going to tax.

Mr. Speaker, today I rise in support of the Protecting Family and Small Business Tax Cuts Act—a key component of tax reform 2.0. I strongly support this legislation, because I worked on it for many years, but also because of the stories I hear across South Dakota every day.

I had, several months ago, a single mom of two kids come up to me. She is a bank teller. She told me that because of tax reform that her check is $80 bigger every 2 weeks. That meant that her 10-year-old son could get new basketball shoes this year instead of going out and trying to find some that were used by another student who had outgrown them.

I also had another woman from Platte, South Dakota, contact my office and tell me that because of tax reform that her check is $80 bigger every 2 weeks. That meant that her 10-year-old son could get new basketball shoes this year instead of going out and trying to find some that were used by another student who had outgrown them.

Mr. Speaker, I thank you for yielding and for your leadership on this very important issue.

Mr. Speaker, I rise in support of H.R. 6760, the Protecting Family and Small Business Tax Cuts Act. As chairman of the House Small Business Committee, I have closely examined the effects that the Tax Cuts and Jobs Act that we previously passed has had on America's small businesses, on startups, and on entrepreneurs.

From a Small Business Committee hearing that I chaired in July that reviewed the impact of that law on Main Street companies to the many small business optimism surveys that are published on a monthly business, the results are in, and they are positive for Main Street. The National's 30 million small businesses that about half of the workers in this country work for. They work for small businesses.

The tax cuts have provided small businesses with the opportunity to invest in their workers, invest in their equipment, and invest in their dreams. A small business owner in my district in southern Ohio recently testified: "The recent tax reduction will have a positive impact on our employees in 2018 and beyond."

The shops on Main Street all across America are transforming our communities and neighborhoods with job growth and business expansion, and that means jobs for more Americans.

Making our economy stronger is not rev, Congress should take the next step in the tax debate, which is making the tax cuts for our Nation's job creators permanent. That is what we are doing here today.

Making section 199A, the small business pass-through provision, stronger will be a benefit to small businesses from my State of Ohio and to our States all across the country, from coast to coast.

I applaud the work of Mr. DAVIS, Mr. BRADY, and the other members of the Ways and Means Committee on this issue. It has been very important. When our Nation's small businesses, entrepreneurs, and startups are thriving, so are their employees, the families of those employees, and America's consumers.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. FASCARELLI).

Mr. FASCARELLI. Mr. Speaker, this is the sequel to "Weekend at Bernie's." But this doesn't work.

The headline yesterday in The Washington Post was: GOP Campaigns Ditch Touting Tax Law in Ads. The first one stunk. This is even worse. A Republican economist Douglas Holtz-Eakin, a good, good guy, said this past May: "There's just no evidence that the tax cuts actually pay for themselves."

You already targeted Medicaid. You already targeted Social Security. You are targeting healthcare. That is why you are targeting Medicare. That is why you are targeting Social Security. That is why you are targeting healthcare.

In New Jersey—we are still a State—the average SALT deduction claimed in 2016 was more than the $10,000 limit. In my district, the average is over $18,000. One of the counties in my district is $24,000.
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What have you done? That means the average taxpaying household—New Jersey, listen up—now has to pay income tax on an additional $14,000 worth of income.

We may have 12 Democrats by the end of the election, but none of us get to vote on tax cuts that would add another $650 billion to the debt.

If they are a middle-class family being taxed at 24 percent, that is an extra $3,400 they have to come up with at tax time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield the gentleman from New Jersey an additional 1 minute.

Mr. PASCRELL. Mr. Speaker, for hundreds of thousands of New Jersey families, that is a mortgage payment; that is a tuition bill; that is money for unexpected medical bills. Instead, it is going to be moving to pay more bills in Montana and South Dakota.

I offered an amendment to restore the full SALT. So every Member who voted for monstrosity today is voting to make the SALT caps forever and to impose a permanent tax on middle-class families. It is mind-boggling that a Member would want to hammer his constituents like that.

I ask my colleagues: How could you vote to punish your middle-class constituents to give even more money to the 1 percent?

What is even more fascinating, a number of people on the other side, Mr. Speaker, do you wonder they are voting for this thing today. They get less than 1 percent of the donations from folks like you and me. So that is why they are tuned in to corporate America.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, today's sorry's sequel is as phony as the original Republican tax sham. It comes from an administration for whom truth is a stranger, clocked in, by one analysis, at 7½ lies, on the average, per day. But even for such an administration, this bill is based on a true whopper.

We have here it from the Executive Office of the President telling us as his official administration policy that for every American family, the average household income will be increased by at least $4,000, annually. Yet today, 20 percent of American families have gotten a dime increase in their income as a result of this bill. Truly, a giant whopper.

But like the promise that Mexico would pay for the wall, that drug companies would bring down their prices, all we have is more misrepresentation today.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield the gentleman from Texas an additional 1 minute.

Mr. DOGGETT. Corporate giants who got giant tax breaks gave them back to their shareholders and their CEOs, but they didn’t increase wages for workers or give more than a handful any compensation as a result of this.

Now, here on election eve, we have a proposal where they are telling the American taxpayers: We promise relief for seven years, which is what this bill does. Families can’t put off rising healthcare costs or their other needs for seven years.

But there is one American family who does really well out of this bill. It is the family of Donald J. Trump. They got a special provision written into the bill that this proposal freezes into permanent law that gives them a tax windfall, most likely of millions of dollars.

That is what this bill was all about: helping Donald Trump, his cronies, and allies, not helping the American people.

The first tax bill was a hit-and-run job. With this second bill, Republicans are up and run over working families again. Democrats need to take the wheel and help Americans get some money in their own wallet.

Mr. BRADY of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, let me just fact-check my colleague from Texas.

Since the tax reform bill became law on New Year's Day, 1.7 million jobs have been created in America, with wages rising at the fastest rate in 9 years.

Today, following these new policies, the median income for a married couple with two kids has $3,200 more in their take-home pay than it did just 12 months ago.

I will remind the voters in Mr. DOGGETT's district that an average family of four making $60,000 a year sees a tax cut of $1,131 that my Democratic colleagues want to steal back.

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

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, for years, that is who. They are working families who are being priced out of home ownership, saving for retirement, or trying to put their kids through school.

I urge my colleagues to vote down this terrible bill and let common sense reign.

Mr. BRADY of Texas. Mr. Speaker, I yield the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SANCHEZ), the vice chair of the Democratic Caucus.

Ms. SANCHEZ. Mr. Speaker, I stand here today appalled, but, quite frankly, not shocked, at the irresponsibility of my colleagues on the other side of the aisle. I guess their giveaway to the ultrawealthy wasn't enough last time around, so they have come back for round two: a fake tax reform 2.0.

When the bill for this new gimmick eventually comes due, I am terrified Republicans will pay for it by gutting Social Security and Medicare, two earned benefit programs on which my constituents rely.

I have heard a lot of rhetoric about how today's bill will help the middle class, but the only thing that today's legislation guarantees is adding at least $3 trillion more to the deficit over just a period of 10 years.

And who picks up the tab? Middle-class Americans, that is who. They are working families who are being priced out of home ownership, saving for retirement, or trying to put their kids through school.

But today, following these new policies, the median income for a married couple with two kids has $3,200 more in their take-home pay than it did just 12 months ago.

I will remind the voters in Mr. DOGGETT’s district that an average family of four making $60,000 a year sees a tax cut of $1,131 that my Democratic colleagues want to steal back.

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

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, less than a year after the first disastrous tax bill, here we are voting on another bill that will double down on this betrayal and put hardworking families who are working every day to make ends meet even further into debt.

As my constituents remember, the first tax law cost us $2.3 trillion. Those working to reach the middle class will see less investment in their communities; will see their Social Security, Medicare, and Medicaid shrink; and will see the costs of healthcare insurance rise.

It is unconscionable that Republicans are trying to pass another batch of tax cuts that will add another $650 billion to the $2.3 trillion they have already spent through the Tax Code. This will end up costing us $5 trillion over the next 20 years.

Vote “no” on this reckless tax cut.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from...
Arizona (Mr. SCHWEIKERT), a key leader and member of the Ways and Means Committee.

Mr. SCHWEIKERT. Mr. Speaker, before comments, this was my first term on the Ways and Means Committee. I will remind both on the Democratic side and the Republican side, is a group of very special Members, having been on other committees, even in moments like this, where we see the world very differently. Everyone is freaky smart, incredibly respectful, and it's odd what goes on in the back where we actually get along, it is a very special committee. But the fact of the matter is we sort of see the world very differently.

Have you ever had that moment where you were walking up to the podium and you were going to read something? I was going to originally read the comments from a number of Members, particularly on the other side, who were incredibly critical of the fact that we had not extended the tax cuts and now they are complaining that we are extending them. We do have this sort of body where we race to whatever the current argument is. But that would actually be a little hard to do, right after saying such nice things about everyone. So let's actually have a couple of comments on the reality of what we see in the math.

Do you remember when the tax bill passed, the math was that we needed a 0.4 percent growth in GDP over 10 years and the tax reform paid for itself? How are we doing so far?

We have had, now, multiple revisions upward. Something is working out there in our society when you see more jobs than workers; when you see, in my community, the populations that have had a really rough decade with the growth recession of the last decade, they have jobs. There are good things happening.

You would think there would be almost this joy on both the left and the right when you see job training in our Arizona prisons. We actually brought one of the three-time convicted felons to testify in the Ways and Means Committee. It is so hard for this body to actually give a little and say: Look at the great societal things that are happening right now.

Also, we have the backup on the math. If we do not have substantial economic growth this decade and next, we cannot extend our societal promises. I would like to argue, when we get beyond this, we have the conversation of: What does tax reform do for future economic expansion? Again, yes, we are going to have to talk about a lot of difficult things to keep that economic expansion, but the baseline math—and I know we are only 8, 9 months into the data—it is working. Could we at least have a little sound of joy for what is working?

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the highly effective Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his extraordinary leadership in representing the House Democrats as the ranking member on the Ways and Means Committee. He brings to that position the values shared by the American people—of fairness, transparency, and openness in what goes on here in Congress, and doing so in a way that is accountable to the American people. So I thank him for his leadership.

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Sadly, I come to the floor again to talk against, yet again, another Republican tax scam. The gentleman who just spoke talked about how we should be filled with joy—filled with joy.

Well, if we are talking about emotion, let us talk about St. Augustine. St. Augustine, 17 centuries ago—17 centuries ago, 1,700 years ago—said: "A State which is not governed according to justice is just a bunch of thieves."

Pope Benedict, who quoted Augustine, said: "The State must inevitably face the question of how justice can be achieved here and now." Benedict cautioned against the tailspin of certain ethical blindness caused by the dazzling effect of power and special interest. That is what they talked about.

This is about justice, justice for our country in terms of economic justice, justice for our economy where everyone is participating in the prosperity of America and not, yet again, the warmed-over stew of trickle-down economics. If you give 83 percent of the benefits to the top 1 percent—glory, alleluia—it may trickle down on you. If it does not, so be it. That is what the former speaker said: So be it.

Let me quote some of the Republicans, enforcing what I said earlier. Who are these tax scams for?

Congressman Chris Collins said: "My donors are basically saying, 'Get it done or don't ever call me again.'"

Senator Lindsey Graham said the financial contributions will stop if this— and I say—if this tax scam fails.

Here we are again. Here we are again at a time, on this last day of the session, as this body prepares to pack its bags and return home for the next 6 weeks, the GOP's priorities have been laid bare, as we waste our final moments debating a new version of the Bush bible, tax cuts, with no accountability, no transparency, and no fairness for the American people.

The first GOP tax scam for the rich added $2 trillion to the national debt, when you talk about the tax cut plus the interest on the debt, sticking our children with a bill for massive tax breaks for Big Pharma, big banks, big corporations, making it more profitable for them to ship jobs overseas, and the wealthiest 1 percent.

People across America have raised their voices to condemn the Republicans' plan to spend trillions on tax cuts for the wealthy. What is so sad about it is, in their first tax scam, they decided that they would set up a thing where the individual mandate was repealed and, therefore, the benefit of preexisting condition no longer barring you from having access to health insurance. Their first tax scam was an attempt to repeal the preexisting condition benefit in the Affordable Care Act.

Not only that—that was not good enough for them—the President went further in his budget and said: We have increased the debt. Not we have to pay for it, because, contrary to the illusion that our Republicans like to present, these tax breaks do not ever pay for themselves.

Don't take it from me. Those who have worked even with Jack Kemp have said: Anybody who tells you that these tax breaks pay for themselves is telling you something that is not true, is nonsense, and is BS, except he said this, except who in the Republican side, is he?

So here they are. Now they have to pay for it. Where are they going to get the money? They have just given 83 percent of the benefits to the top 1 percent, a big tax break for corporations, enabling them to send jobs overseas. And who is going to pay for it?

Well, in the President's budget, to make up for the $2 billion plus, they cut $500 billion from Medicare; $1.4 trillion from Medicaid, legislation that is not just about poor children but middle-income seniors, a benefit for middle-income seniors; $214 billion from food stamps, a benefit needed by our seniors, by our veterans, by our poor children in America. All of this is to pay for tax cuts for the rich.

So here we are again. Imagine what the Republicans will try to do after adding trillions more to the deficit. Their intentions are clear. Their advisers—Larry Kudlow, his top economic chief, said: If Republicans control Congress, they will immediately move to cut the larger entitlements, probably next year.

In budget after budget, Republicans have made their plan perfectly clear: Add trillions to the deficit with their GOP tax scams for the rich, and then use those deficits to justify slashing Medicare, Medicaid, and, actually, disability benefits for people on Social Security.

Added $2 trillion to the debt with their first tax scam, putting forward a budget that would, again, claw millions from seniors and hard-working Americans, and now they want to do it again.

Well, don't take it from me. AARP wrote a letter to Congress yesterday to warn against the grievous damage that would be done by the second phase of Republicans' deficit-expanding tax scam.

They wrote: "We have grave concerns about H.R. 6760. AARP is troubled by the further negative effect this bill will have on the Nation's ability to fund critical priorities."

They then said: "The Joint Committee on Taxation estimates that
H.R. 6760 will reduce Federal revenue by approximately $631 billion over the 10-year budget window. This is in addition to the $1.5 trillion reduction in revenue over the 10-year budget window resulting from last year’s Tax Cuts and Jobs Act.

Revenue—Revenue that can be used for investment. Think of what we could have done with those resources to build the infrastructure of America, a small piece of it to address the pension crisis in America, the recognition that investments in education are the best investments we can make, because nothing brings more to the Treasury than investments in education. Instead, we have this.

The AARP goes on to say: “Additional increases of this magnitude in the deficit will inevitably lead to calls for greater spending cuts, which are likely to include cuts to Medicare, Medicaid, and other important programs serving older Americans.”

The letter concludes: “AARP cannot support H.R. 6760.”

Again, here we are. They give this big tax break. They say people are going to get raises and bonuses.

Some got bonuses. That is good. If you worked there a long time and the rest, you got a bonus. But it didn’t add to your base salary, which would have been the important increase for people to make.

One estimate by Goldman Sachs was that there would be following the former tax bill, $1 trillion in buybacks: in other words, corporations buying back their stock—not investing in their workforce, not recognizing that their success depends on the productivity of the workforce and that any increase in productivity should also include an increase in the wages of the workers, but, instead, an increase in the compensation for the CEO.

It is shameful.

To quote—to that point, there is a better way to do this. There could have been, instead of as they did with the first tax scam and now this one—the first one in the dark of night and in the speed of light, putting forth a bill that they almost didn’t even know what they were voting for. That did a grave injustice to our Nation for what it deprives us of by giving these tax breaks at the high end.

There is a way to do it. Mr. NEAL has suggested it over and over again. Let’s see what we can do, we can do.

Ronald Reagan, Tip O’Neill, 1986, almost a year of hearings and transparency and openness where the public could see and people could understand what it meant to them in their lives.

Instead, they just go into those rooms, and say: How can we, how can we, how can we milk the public? How can we exploit the taxpayer by adding to the wealth of the wealthiest 1 percent in our country? It is shameful.

As St. Augustine said, unless a government is formed to promote justice, it is just a bunch of thieves.

We are robbing from our children’s future with this national debt. We are robbing from the participation in the full benefits of our prosperity, of our workers, in our country. We are robbing our Nation’s ability to be itself, to make America great again. In doing so, to again, to have people have financial stability in their lives, so that they can be entrepreneurial, so that they can take risk, so that they can invest in their children’s future.

It is not only thinking of the individual taxpayer or person in our country; it is good for our country, because it makes us competitive in the world with our values and with our economy.

Mr. Speaker, I urge a “no” vote. Mr. BRADY of Texas, Mr. Speaker, I note that the average middle class family in the 12th District of California will see a tax cut of $5,508 each year.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP), a key member of the Ways and Means Committee.

Mr. WENSTRUP. Mr. Speaker, I find it interesting that I keep hearing that the tax reforms were for the rich. The only phone calls I got complaining about our tax reform were from the rich.

I had one gentleman call me and actually say: For those of us with three or four homes, this is going to kill us. Are you kidding me? And you keep saying this is a tax break for the rich. They are the only ones complaining to me.

As a former small-business owner, I can tell you how difficult it is to plan for the future. When you sit down to look at your company’s finances, you may be worried about paying your employees’ salaries or making the rent on time.

So many in this body, historically, have never run a business, yet they have historically done a very good job of running some businesses into the ground. The last thing any business owner wants to do is: I wonder what the Federal Government is going to do to my taxes 5, 10, 15 years from now.

Constant uncertainty does not work for the American people. High taxes don’t work for the American people. People want to keep their money.

The House of Representatives is prepared to remedy these concerns for many years to come. The Protecting Family and Small Business Tax Cuts Act on the floor today as part of tax reform 2.0 would make lower tax rates for all income levels permanent.

Critically, this bill permanently extends a major deduction for pass-through businesses which make up most of the small businesses in the United States. This is significant peace of mind for the barbershop in town, for your neighbor’s lawn care business, for the garage-to-Main Street startups, and for the millions of business dreams that, for now, are still dreams.

Mr. Speaker, we now have one of the most competitive tax codes on the globe. Let’s make certain that we keep it that way.

Mr. NEAL. Mr. Speaker, might I inquire of the distinguished chairman how many more speakers that he has.

Mr. BRADY of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. MEADOWS), one of the three original lead sponsors of this tax bill.

Mr. MEADOWS. Mr. Speaker, I rise today in support of the pro-growth, pro-family, and pro-small business reforms in tax reform 2.0 led by my good friend Chairman BRADY.

I want to say a special shout-out to him but also to the Ways and Means staff. Let me just tell you, a lot of times we take credit for things that are done, but it is the staff that has done not only a yeoman’s job but an outstanding job in doing this. And a real shout-out to Representative Rod NOLAN, the bill’s co-sponsor, who believes that it is a good thing to give more of the taxpayers’ money back to them.

You have heard arguments on the floor today, Mr. Speaker, all about revenue and about what this needs to do. But the revenue that we are talking about is actually the hardworking wages of men and women on Main Street. It is their money.

I have been around this place too long. I can tell you, I would rather trust a mom and dad on Main Street to spend their money more wisely than any spenders here in Washington, D.C. It is time that we give it back.

Since we signed the last tax bill, the largest in American history, the economy has been booming. Unemployment is at a 50-year low.

New job openings are setting a record pace. We are increasing wages. Consumer confidence, Mr. Speaker, is at its highest level in decades. And while these strong numbers continue to roll in, Congress needs to act to make sure that we are more resolved than ever to make these tax cuts permanent.

You know, we talk about a vibrant economy—4.2 GDP growth. According to some sources, it is now at 4.4. When we look at that growth in and economic growth, it means increased wages, it means job security, and that is what we need to make sure that we put back on the docket today.

I ask my colleagues to vote for that. Vote for the men and women on Main Street.

Yes, they may call this tax reform 2.0, but what I call this is actually make sure that we are responsible in Washington, D.C., to give the money back to its rightful owner, which is we, the people.

Now, this indeed makes the tax cuts for individuals permanent, but it also
gives a whole lot of options for families saving for education and those baby savings accounts. It encourages small business development.

It is time, Mr. Speaker, that we act on behalf of those who are doing all the hard work here in America, those small businesses and men and women on Main Street who deserve a break from Washington, D.C.

I thank Chairman BRADY and RODNEY DAVID for their leadership. I also look forward to working with them to deliver these tax cuts and make sure they are permanent.

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

Mr. Speaker, I am still trying to sort through the commentary of one of the previous speakers who said that he took a call from somebody who said: I have three or four homes, and I am not getting enough in this bill.

That is the point of this. He doesn't need any tax relief. That is the very example that we have been highlighting throughout this morning. Three or four homes and they are complaining they didn't get enough? That is a remarkable comment for somebody to pass on in this Chamber.

This bill was bad on policy and it was bad on procedure. Not one hearing on this legislation. Not one witness. So two tax bills totaling $3 trillion of debt, all borrowed money with the promise of higher interest rates coming from the Federal Reserve Board, and they are suggesting that that poor fellow who is living out in the desert is paying over $3 trillion of debt with three or four homes needs more tax relief. That is exactly what this argument was about.

So the party of fiscal rectitude has now added $3 trillion of borrowed debt to provide a tax cut for that struggling individual who has three or four homes. Now they want to give him enough, or her enough, to maybe get to five or six homes with the tax bill. Only someone who believes, perhaps, in the Riddler from Batman would think here that that individual needs tax relief.

Every mainstream economist who has spoken about the debt—and this, by the way, cost $631 billion this morning with what they are about to do, borrowed money, added to the debt, added to our children's responsibilities and our grandchildren's responsibilities, and to make matters worse. Mr. Speaker, this represents a long-term threat, now, to Social Security and Medicare, because they are going to come back and say: Well, the debt is so high that we have to cut Social Security and we have to cut Medicare.

Then we could back away from the mistake that they are making this morning. Go back to some hearings. Go back through some process. Go back to a conversation with both parties. Barack Obama was at 28 percent, the corporate rate. We could have found a common point of agreement on this.

This sham is a reckless tax cut for that poor individual who has three or four homes. But at the same time, and simultaneously, they leave behind the hardworking average men and women of this country.

I urge our colleagues to oppose this legislation, and I yield back the balance of my time.

Mr. BRADY of Texas, Mr. Speaker, may I ask how much time I have left.

The SPEAKER pro tempore (Mr. WEHR of Texas). The gentleman from Texas has 4 minutes remaining.

Mr. BRADY of Texas, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would note that the average middle-class family in my good friend Mr. NEAL's district back home in Massachusetts will see a tax cut of nearly $2,000 each year.

So let's fact-check a couple of these claims today. Let's fact-check a few things, starting with my friend Mr. NEAL's point about Dr. Wenstrup's call. That gentlemen wasn't complaining he didn't get enough tax cuts. He said his taxes would go up significantly. And he is correct, because under the Tax Cuts and Jobs Act, this relief goes to middle-class families and low-income families. Without their way up.

In fact, after the Tax Cuts and Jobs Act, millionaires of America who used to shoulder 19 percent of the tax burden now will shoulder 20 percent of the tax burden. They will carry more because this tax reform was designed for middle-class families.

Earlier today, we heard our respected Democratic leader say many things, including that the GOP tax cuts provide at least $1.3 trillion in tax breaks to corporations. FactCheck.org says that claim is misleading. In fact, of the $1.1 trillion, over $1 trillion is for individual taxpayers.

Leader PELOSI said $6 million middle-class families will see a tax increase. The Washington Post gave her 2 Pinocchios, saying that every U.S. taxpayer can expect some kind of tax cut according to just about every analysis.

A lawmaker from Wisconsin, Democrat, never let the GOP tell you again they support low taxes. They don't, unless you are already a billionaire or massive corporation.

PolitiFact gave that Democratic lawmaker a panta on fire rating, saying this will provide tax relief for the middle class and in low-income households will see cuts as well.

Leader CHUCK SCHUMER said companies are laying off American workers because of tax reform. PolitiFact said that was mostly false. A California assemblyman says GOP tax cuts are nothing more than a middle-class tax increase. PolitiFact just killed them, called that just flat-out false.

Senator CLAIRE MCCASKILL said the tax cuts are not going to be helpful to the vast majority of people. The Washington Post also gave her two Pinocchios, said that is flat wrong, says she ignores the immediate impact of the law, which means noticeable tax cuts for her constituents for a number of years.

And, of course, dozens of Democrats continue to state 83 percent of all tax breaks go to the top 1 percent. FactCheck.org—false, because it cites projections for 2027. In fact, the only way that will be true is if you vote "no" today. If you vote "yes," these middle-class tax cuts are permanent.

We have heard, today, scare tactics about the impact to Social Security and Medicare. Let me cite the Joint Economic Committee that shows the Congressional Budget Office said the Medicare trust fund solvency improved after tax reform. The tax reform strengthened the major funding source for the Medicare trust fund. Americans leaving disability for jobs due to a stronger economy will improve Medicare solvency, and the number of uninsured Americans fell—fell—after tax reform in the individual mandate.

And the final point, let's talk about debts and deficits, Mr. Speaker. This is a pleasant surprise to hear our Democrats suddenly concerned. They weren't, under President Obama, when they doubled the national debt. They added $2 trillion in just 1 year.

I am not going to talk about sailors who drink. I will just say this. Democrats were concerned, didn't care about deficits when they were spending your money; but now that you are spending your money, all of a sudden, everything is changed.

The truth of the matter is: Who do you trust, Washington to spend your money, or you and your family?

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

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward Members of the Senate.

Mr. Speaker, I have a motion to recommit to the desk.

Mr. LARSON of Connecticut. Mr. Speaker, I have a motion to recommit to the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LARSON of Connecticut. Mr. Speaker, I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Larson of Connecticut moves to recommence the bill H.R. 6760 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following new title:

TITLE III—EFFECTIVE DATE

SEC. 300. SHORT TITLE.

This title may be cited as the "Protect Medicare and Social Security Trust Funds Act of 2018".
In fact, already this year, the Federal Government is receiving $105 billion more, Mr. Speaker, in payroll taxes and individual taxes, and those payroll taxes are what are the foundation of Social Security and Medicare.

The truth of the matter is, as we look at this bill, both parties claim to be champions of hardworking taxpayers. Well, let's see who is right.

So, under this bill, a single mom, working her way out of poverty, permanently will see $1,700 more in her paycheck each year. Democrats who vote “no” will steal that money back from that single mom. When.

Middle-class family of two, two teachers in my district, with two kids, under this bill, permanently will see a tax cut of $2,636. A “no” vote steals that money back from that family.

President Trump, President Trump, who said: We’re not going to hurt the people who are paying into Social Security their whole life, and then, all of a sudden they’re supposed to get less?!”

But people are smart if we ever have a public hearing on it; but I have a profound inclination to understand that when Mr. Neal is chairman of this committee, we will take this bill up.

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

Mr. BRADY of Texas. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of a point of order is withdrawn.

Mr. BRADY of Texas. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Speaker, you know Washington. You know Washington. If you don’t have an argument, just scare people; just frighten them to death. That will work.

But people are smart if we ever have a public hearing on it; but I have a profound inclination to understand that when Mr. Neal is chairman of this committee, we will take this bill up.

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

Mr. BRADY of Texas. Mr. Speaker, I reserve a point of order.

The Clerk continued to read.

The SPEAKER pro tempore. The reservation of a point of order is reserved.

Mr. Speaker, I reserve a point of order.

The Clerk will continue to read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Connecticut (Mr. Larson) is recognized for 5 minutes in support of his motion. Mr. BRADY of Connecticut. Mr. Speaker, I want to say straightforwardly to my colleagues on the other side, this is as straightforward and it is as simple as it can be: Nothing in this bill can take effect unless and until the Chief Actuaries have certified that this bill will do no harm to Medicare and Social Security.

Now, unlike Members of Congress who have a pension plan, who have a Thrift Savings Plan, who also have Social Security, for one-third of all seniors in this country, they rely on Social Security alone; and for two-thirds of all seniors—and that is your mothers and fathers and aunts and uncles and nieces and nephews and friends and family—90 percent of their income comes from Social Security.

Mr. Speaker, 10,000–10,000—baby boomers become eligible for Social Security every single day; and yet, as Mr. Neal has pointed out, the lack of hearings, the lack of substantive debate on Social Security and Medicare. It has been nonexistent.

I include in the RECORD a letter from Robert Greenstein from the Center on Budget and Policy Priorities. I think it’s something to see what you do get a full understanding and impact of what happens when this so-called tax reform bill takes effect and its burden when this so-called tax reform bill takes effect and its burden is thrust squarely on the people who are in most need at the time.

[From the Center on Budget and Policy Priorities, Sept. 10, 2018]

GREENSTEIN: HOUSE REPUBLICAN TAX PROPOSAL REPEATS FLAWS IN 2017 TAX LAW CBPP released the following statement from Robert Greenstein, president, on House of Representatives’ passage of their 2.0 tax proposal:

“Today’s tax proposal from House Republican leaders doubles down on the fundamentally flawed 2017 tax law by further expanding deficits and once again favoring people with the highest incomes. The proposal would make permanent the 2017 law’s individual tax provisions. Those provisions benefit households in the top 1 percent twice as much as households in the bottom 50 percent and a share of income.

Making these provisions permanent would cost roughly $650 billion over 2019 to 2028, according to the Joint Tax Committee. Large as it is, this estimate significantly understates the long-term cost because the bill largely affects only the final three years of the 2017 law’s estimate, that the legislation would cost roughly $2.9 trillion over 2029 to 2035, the first full decade it would become permanent.

The revenue loss would come at a time when the baby boom generation will be retiring in large numbers and moving into ‘oldest old’ causing Medicare and Social Security costs to rise considerably. Indeed, 2026, the year in which most of the new GOP tax legislation would take starting making social security retire at 66. It’s also the year in which the oldest baby boomers will turn 80; people in their 80s have higher health care costs, on average, than younger seniors do. The nation will need more revenues to help meet these and other challenges, such as a decaying infrastructure, not fewer revenues.

Policy makers should fix the flaws of the 2017 tax law, not extend them and compound the damage.

The Center on Budget and Policy Priorities is a nonprofit research organization and institute that conducts research and analysis on a range of government policies and programs. It is supported primarily by foundation grants.

Mr. Larson of Connecticut. Mr. Speaker, Mr. Greenstein says: ‘We estimate that the legislation would cost roughly $2.9 trillion over 2029 to 2035, the first full decade it would become permanent.

‘The revenue loss would come at a time when the baby boom generation will be retiring in large numbers . . . causing Medicare and Social Security costs to rise considerably. Indeed, when this bill kicks in in 2026, it is the first year in which all members of the baby boom generation, including the youngest, will be eligible to draw on their Social Security retirement funds. It is also the year in which the oldest baby boomers will turn 80; and, as we all know, that is the time when they need medical attention the most and a time when the nation will desperately need these revenues. My Republican colleagues are paying for this tax reform on the backs of American seniors, forcing devastating cuts to Social Security and Medicare. Under the guise of tax reform, the trillions they are adding to the deficit is no accident. Cutting Social Security and Medicare has always been the next step.

News flash to my colleagues who refer to Social Security and Medicare as an entitlement: It is not an entitlement. It is the insurance that people have paid for, working all their life. And how do we know this? How do we know this, America? Because all they have to do is check their pay stub where it says, ‘FICA,’ Federal Insurance Contributions Act.

Whose? Theirs, the hardworking people of America, who understand that this is the insurance that they have paid for. This is what they need in life. And at the very critical time when the full complement of baby boomers are retiring, they get burdened and saddled with this debt.
every year, and they can write off on their taxes that new computer, that new equipment, that new improvement to their store. A “no” vote hammers America’s Main Street businesses.

Young parents, struggling to raise kids, where every dollar matters, this bill makes clear that treatment that doubling of the child tax credit is permanent, and millions more Americans, middle-class families, will get help raising their precious children. A “no” vote is to deny American seniors, American families’ ability to write off those taxes. Now we know, thanks to ObamaCare, high out-of-pocket costs is now the pre-existing condition. This bill makes sure that we stand on the side of those seniors, whether they are battling cancer or some other menaces.

At the end of the day, while some would say, look, we need to raise the SALT cap, let me just say this: That SALT cap is a $10 tax cut for the middle class and a $146,000 tax cut for millionaires. In other words, Democrats who vote “no” on it, they just want more tax cuts for the rich.

And the fact of the matter is, States are seeing a $20 billion windfall. State governments and Governors, all they need do, don’t pocket that money for their budget, pass it on to hard working taxpayers. At the end of the day, revenues are up. Payroll taxes are up. Social Security and Medicare are strengthened.

So at the end of the day, who do you trust? Who do you trust with your hard-earned money? Is it Washington, so they can take it and spend it on their special interests? Is it you? Is it your family? Is it your American Dream?

This bill is about making sure that we choose the American people. We choose you, the middle-class families. We choose you, Main Street America, to better use your money than Washington does.

As we conclude, Mr. Speaker, I would like to thank our tax team, led by Barbara Angus, our Chief Tax Counsel, Aharon Friedman, Randy Gartin, Aaron Junge, Loren Ponds, John Sandell, Donald Schneider, Victoria Glover, John Schoenecker, and Quinton Brady, for doing a remarkable job for us and for the American people. I urge a “yes” on protecting tax cuts for individuals, middle-class families, and small businesses.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection. The SPEAKER pro tempore. The question is on the motion to recommit. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LARSEN of Connecticut. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

SUBSTANCE USE-DISORDER PREVENTION THAT PROMOTES OPIOID RECOVERY AND TREATMENT FOR PATIENTS AND COMMUNITIES ACT

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1099) providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. Res. 1099

Resolved, That upon the adoption of this resolution, the House shall be considered to have concurred in the Senate amendment to H.R. 6, with an amendment.

TITLES I—MEDICAID PROVISIONS TO ADDRESS THE OPIOID CRISIS

Title I—Medicaid Provisions to Address the Opioid Crisis

Section 1001. Medicaid for Patients and Communities Act

Section 1002. Medicaid health homes for substance use disorder.

Section 1003. Medicaid health homes for substance use disorder.

Section 1004. Demonstration project to increase coverage for postpartum women with substance use disorder.

Section 1005. Guidance to improve care for individuals with OUD.

Section 1006. Medicaid health homes for substance-use disorder enrollees.

Section 1007. Caring recovery for infants and babies.

Section 1008. Peer support enhancement and evaluation review.

Section 1009. Medicaid substance use disorder treatment for at telehealth.

Section 1010. Enhancing patient access to non-opioid treatment options.

Section 1011. Assessing barriers to opioid use disorder treatment.

Section 1012. Help for moms and babies.

Section 1013. Securing flexibility to treat substance use disorders.

Section 1014. MACPAC study and report on MAT utilization controls under State Medicaid programs.

Section 1015. Opioid addiction treatment programs enhancement.

Section 1016. Better data sharing to combat the opioid crisis.

Section 1017. Report on innovative State initiatives and strategies to provide housing-related services and supports to individuals struggling with substance use disorders under Medicaid.

Section 1018. Technical assistance and support for innovative State strategies to provide housing-related supports under Medicaid.

TITLES II—MEDICARE PROVISIONS TO ADDRESS THE OPIOID CRISIS

Title II—Medicare Provisions to Address the Opioid Crisis

Section 2001. Expanding the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.


Section 2003. Every prescription conveyed securely.

Section 2004. Requiring prescription drug plan sponsors under Medicare to establish drug management programs for at-risk beneficiaries.

Section 2005. Medicare coverage of certain services furnished by opioid treatment programs.

Section 2006. Encouraging appropriate prescribing under Medicare for victims of opioid overdoses.

Section 2007. Automatic escalation to external review under a Medicare part D drug management program for at-risk beneficiaries.

Section 2008. Suspension of payments by Medicare prescription drug plans and MA-PD plans pending investigations of credible allegations of fraud by pharmacies.

TITLES III—FDA AND CONTROLLED SUBSTANCE PROVISIONS

Subtitle A—FDA Provisions

Chapter 1—In General

Sec. 3001. Clarifying FDA regulation of non-opioids.

Sec. 3002. Evidence-based opioid analgesic prescribing guidelines and restrictions.

Sec. 3003. Establish drug management program for at-risk beneficiaries.

Sec. 3004. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3005. Restricting entrance of illicit drugs.

Sec. 3006. Restricting entrance of illicit drugs.

Sec. 3007. Establishing drug management program for at-risk beneficiaries.

Sec. 3008. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3009. Restricting entrance of illicit drugs.

Sec. 3010. Establishing drug management program for at-risk beneficiaries.

Sec. 3011. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3012. Restricting entrance of illicit drugs.

Sec. 3013. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3014. Establishing drug management program for at-risk beneficiaries.

Sec. 3015. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3016. Restricting entrance of illicit drugs.

Sec. 3017. Establishing drug management program for at-risk beneficiaries.

Sec. 3018. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3019. Restricting entrance of illicit drugs.

Sec. 3020. Establishing drug management program for at-risk beneficiaries.

Sec. 3021. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3022. Restricting entrance of illicit drugs.

Sec. 3023. Establishing drug management program for at-risk beneficiaries.

Sec. 3024. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3025. Restricting entrance of illicit drugs.

Sec. 3026. Establishing drug management program for at-risk beneficiaries.

Sec. 3027. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3028. Restricting entrance of illicit drugs.

Sec. 3029. Establishing drug management program for at-risk beneficiaries.

Sec. 3030. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3031. Restricting entrance of illicit drugs.

Sec. 3032. Establishing drug management program for at-risk beneficiaries.

Sec. 3033. Strengthening FDA and CBP co-operation in registering, licensing and authorizing importation.

Sec. 3034. Restricting entrance of illicit drugs.
CHAPTER 4—SECURING OPIOIDS AND UNUSED NARCOTICS WITH DELIBERATE DISPOSAL AND PACKAGING
Sec. 3031. Short title.
Sec. 3032. Safety-enhancing packaging and disposal features.

CHAPTER 5—POSTAPPROVAL STUDY REQUIREMENTS
Sec. 3041. Clarifying FDA postmarket authorities.

SUBTITLE B—CONTROLLED SUBSTANCE PROVISIONS
CHAPTER 1—MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS
Sec. 3201. Allowing for more flexibility with respect to medication-assisted treatment for opioid use disorders.
Sec. 3202. Medication-assisted treatment for recovery from substance use disorder.
Sec. 3203. Grants to enhance access to substance use disorder treatment.
Sec. 3204. Delivery of a controlled substance by a pharmacy to be administered by injection or implantation.

CHAPTER 2—EMPOWERING PHARMACISTS IN THE FIGHT AGAINST OPIOID ABUSE
Sec. 3211. Short title.
Sec. 3212. Programs and materials for training on certain circumstances under which a pharmacist may decline to fill a prescription.

CHAPTER 3—SAFE DISPOSAL OF UNUSED MEDICATION
Sec. 3221. Short title.
Sec. 3222. Disposal of controlled substances of a hospice patient by employees of a qualified hospice program.
Sec. 3223. GAO study and report on hospice safe drug management.

CHAPTER 4—SPECIAL REGISTRATION FOR TELEMEDICINE CLARIFICATION
Sec. 3231. Short title.
Sec. 3232. Registration relating to a special registration for telemedicine.

CHAPTER 5—SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES
Sec. 3241. Controlled substance analogues.

CHAPTER 6—ACCESS TO INCREASED DRUG DISPOSAL
Sec. 3251. Short title.
Sec. 3252. Definitions.
Sec. 3253. Authority to make grants.
Sec. 3254. Application.
Sec. 3255. Use of grant funds.
Sec. 3256. Eligibility for grant.
Sec. 3257. Duration of grants.
Sec. 3258. Accountability and oversight.
Sec. 3259. Duration of program.
Sec. 3260. Authorization of appropriations.

CHAPTER 7—USING DATA TO PREVENT OPIOID DIVERSION
Sec. 3271. Short title.
Sec. 3272. Purpose.
Sec. 3273. Amendments.
Sec. 3274. Report.

CHAPTER 8—OPIOID QUOTA REFORM
Sec. 3281. Short title.
Sec. 3282. Strengthening considerations for DEA opioid quotas.

CHAPTER 9—PREVENTING DRUG DIVERSION
Sec. 3291. Short title.
Sec. 3292. Improvements to prevent drug diversion.

TITLE IV—OFFSETS
Sec. 4001. Promoting value in Medicaid managed care.
Sec. 4002. Requiring reporting by group health plans of prescription drug coverage information for purposes of identifying primary payer situations under the Medicare program.
Sec. 4003. Additional religious exemption from health coverage responsibility requirement.
Sec. 4004. Modernizing the reporting of biological and biosimilar products.

TITLE V—OTHER MEDICARE PROVISIONS
Subtitle A—Mandatory Reporting With Respect to Adult Behavioral Health Measures
Sec. 5001. Mandatory reporting with respect to adult behavioral health measures.

Subtitle B—Medicaid IMD Additional Info
Sec. 5011. Short title.
Sec. 5012. MACPAC exploratory study and report on institutions for mental disease requirements and practices under Medicaid.

Subtitle C—CHIP Mental Health and Substance Use Disorder Parity
Sec. 5021. Short title.
Sec. 5022. Ensuring access to mental health and substance use disorder services for children and pregnant women under the Children’s Health Insurance Program.

Subtitle D—Medicaid Reentry
Sec. 5031. Short title.
Sec. 5032. Promoting State innovations to transmissions integration to the community for certain individuals.

Subtitle E—Medicaid Partnership
Sec. 5041. Short title.
Sec. 5042. Medicaid providers are required to note experiences in record systems to help in-need patients.

Subtitle F—IMD CARE Act
Sec. 5051. Short title.
Sec. 5052. State option to provide Medicaid coverage for certain individuals with substance use disorders who are patients in certain institutions for mental diseases.

Subtitle G—Medicaid Improvement Fund
Sec. 5061. Medicaid Improvement Fund.

TITTLE VI—OTHER MEDICARE PROVISIONS
Subtitle A—Testing of Incentive Payments for Behavioral Health Providers for Adoption and Use of Certified Electronic Health Record Technology
Sec. 6001. Testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

Subtitle B—Abuse Deterrent Access
Sec. 6011. Short title.
Sec. 6012. Study on abuse-deterrent opioid formulations: access barriers under Medicare.

Subtitle C—Medicare Opioid Safety Education
Sec. 6021. Medicare opioid safety education.

Subtitle D—Opioid Addiction Action Plan
Sec. 6031. Short title.
Sec. 6032. Action plan on recommendations for changes under Medicare and Medicaid to prevent opioid addictions and enhance access to medical-assisted treatment.

Subtitle E—Advancing High Quality Treatment for Opioid Use Disorders in Medicare
Sec. 6041. Short title.
Sec. 6042. Opioid use disorder treatment demonstration program.

Subtitle F—Responsible Education Achieves Care and Healthy Outcomes for Users’ Treatment
Sec. 6051. Short title.
Sec. 6052. Grants to provide technical assistance to outlier prescribers of opioids.

Subtitle G—Preventing Addiction for Susceptible Seniors
Sec. 6061. Short title.
Sec. 6062. Electronic prior authorization for covered part D drugs.
Sec. 6063. Program integrity transparency measures under Medicare parts C and D.

Subtitle H—Expanding Oversight of Opioid Prescribing and Payment
Sec. 6071. Short title.
Sec. 6072. Medicaid payment Advisory Commission report on opioid payment, adverse incentives, and data under the Medicare program.

Sec. 6073. No additional funds authorized.

Subtitle I—Dr. Todd Graham Pain Management, Treatment, and Recovery
Sec. 6081. Short title.
Sec. 6082. Review and adjustment of payments under the Medicare outpatient prospective payment system to avoid financial incentives to use opioids instead of non-opioid alternative treatments.
Sec. 6083. Expanding access under the Medicare program to addiction treatment in Federally qualified health centers and rural health clinics.
Sec. 6084. Studying the availability of supplemental benefits designed to treat or prevent substance use disorders under Medicare Advantage plans.

Subtitle J—Combating Opioid Abuse for Care in Hospitals
Sec. 6091. Short title.
Sec. 6092. Developing guidance on pain management and opioid use disorder prescription in hospitals receiving payment under part A of the Medicare program.
Sec. 6093. Requiring the review of quality measures relating to opioids and opioid use disorder treatments furnished under the Medicare program and other federal health care programs.
Sec. 6094. Technical expert panel on reducing surgical setting opioid use; Data collection on perioperative opioid use.
Sec. 6095. Requiring the posting and periodic update of opioid prescribing guidance for Medicare beneficiaries.

Subtitle K—Providing Reliable Options for Patients and Educational Resources
Sec. 6101. Short title.
Sec. 6102. Requiring Medicare Advantage plans and part D prescription drug plans to include information on risks associated with opioids and coverage of non-pharmacological therapies and nonopioid medications or devices used to treat pain.
Sec. 7001. Pilot program for public health laboratories to detect fentanyl and other synthetic opioids.

Subtitle B—Pilot Program for Public Health Laboratories To Detect Fentanyl and Other Synthetic Opioids

Sec. 7011. Pilot program for public health laboratories to detect fentanyl and other synthetic opioids.

Subtitle C—Indexing Narcotics, Fentanyl, and Opioids

Sec. 7021. Establishment of substance use disorder information dashboard.

Sec. 7022. Interdepartmental Substance Use Disorders Coordinating Committee.

Sec. 7023. National milestones to measure success in curtailing the opioid crisis.

Sec. 7024. Study on prescribing limits.

Subtitle D—Ensuring Access to Quality Suboxone

Sec. 7031. National recovery housing best practices.

Subtitle E—Advancing Cutting Edge Research

Sec. 7041. Unique research initiatives.

Sec. 7042. Pain research.

Subtitle F—Jessie’s Law

Sec. 7051. Inclusion of opioid addiction history in patient records.

Sec. 7052. Communication with families during emergencies.

Sec. 7053. Development and dissemination of model training programs for substance use disorder patient records.

Subtitle G—Protecting Pregnant Women and Infants

Sec. 7061. Report on addressing maternal and infant health in the opioid crisis.

Sec. 7062. Protecting moms and infants.

Sec. 7063. Early interventions for pregnant women and infants.

Sec. 7064. Prenatal and postnatal health.

Sec. 7065. Plans of safe care.

Subtitle H—Substance Use Disorder Treatment Workforce

Sec. 7071. Loan repayment program for substance use disorder treatment workforce.

Sec. 7072. Clarification regarding service in schools and other community-based settings.

Sec. 7073. Programs for health care workforce.

Subtitle I—Preventing Overdoses While in Emergency Rooms

Sec. 7081. Program to support coordination and continuation of care for drug overdose patients.

Subtitle J—Alternatives to Opioids in the Emergency Department

Sec. 7091. Emergency department alternatives to opioids demonstration program.

Subtitle K—Treatment, Education, and Community Help To Combat Addiction

Sec. 7101. Establishment of regional centers of excellence in substance use drug use treatment and prevention.

Sec. 7102. Youth prevention and recovery.

Subtitle L—Information From National Mental Health and Substance Use Policy Laboratory

Sec. 7111. Information from National Mental Health and Substance Use Policy Laboratory.

Subtitle M—Comprehensive Opioid Recovery Centers

Sec. 7121. Comprehensive opioid recovery centers.

Subtitle N—Trauma-Informed Care

Sec. 7131. CDC surveillance and data collection for child, youth, and adult substance use disorder treatment.

Sec. 7132. Task force to develop best practices for trauma-informed identification, referral, and support.

Subtitle O—Natural Child Traumatic Stress Initiative

Sec. 7133. Grants to improve trauma support services and mental health care for children and youth in educational settings.

Sec. 7135. Recognizing early childhood trauma related to substance abuse.

Subtitle P—Peer Support Communities of Recovery

Sec. 7151. Building communities of recovery.

Sec. 7152. Peer support technical assistance centers.

Sec. 7153. Peer support technical assistance center.

Subtitle Q—Creating Opportunities That Necessitate New and Enhanced Connections That Improve Opioid Navigation Strategies

Sec. 7161. Preventing overdoses of controlled substances.

Sec. 7162. Prescription drug monitoring program.

Subtitle R—Review of Substance Use Disorder Treatment Providers Receiving Federal Funding

Sec. 7171. Review of substance use disorder treatment providers receiving Federal funding.

Subtitle S—Other Health Provisions

Sec. 7181. State response to the opioid abuse crisis.

Sec. 7182. Report on investigations regarding parity in mental health and substance use disorder benefits.

Sec. 7183. CAREER Act.

TITLE VIII—MISCELLANEOUS

Subtitle A—Synthetic Trafficking and Overdose Prevention

Sec. 8001. Short title.

Sec. 8002. Customs fees.

Sec. 8003. Mandatory advance electronic information for postal shipments.

Sec. 8004. International postal agreements.

Sec. 8005. Cost recoupment.

Sec. 8006. Development of technology to detect illicit narcotics.

Sec. 8007. Civil penalties for postal shipments.

Sec. 8008. Report on violations of arrival, reporting, entry, and clearance requirements and falsity or lack of manifest.

Sec. 8009. Effective date; regulations.

Subtitle B—Opioid Addiction Recovery Fraud Prevention

Sec. 8011. Short title.

Sec. 8022. Definitions.

Sec. 8023. Fair or deceptive acts or practices with respect to substance use disorder treatment service providers.

Subtitle C—Addressing Economic and Workforce Impacts of the Opioid Crisis

Sec. 8041. Addressing economic and workforce impacts of the opioid crisis.

Subtitle D—Peer Support Counseling Program for Women Veterans

Sec. 8051. Peer support counseling program for women veterans.

Subtitle E—Treating Barriers to Prosperity

Sec. 8061. Short title.

Sec. 8062. Drug abuse mitigation initiative.

Subtitle F—Pilot Program to Help Individuals in Recovery From a Substance Use Disorder Become Stably Housed

Sec. 8071. Pilot program to help individuals in recovery from a substance use disorder become stably housed.

Subtitle G—Human Services

Sec. 8081. Supporting family-focused residential treatment.

Sec. 8082. Improving recovery and reuniting families.

Sec. 8083. Building capacity for family-focused residential treatment.

Subtitle H—Reauthorizing and Extending Grants for Recovery From Opioid Use Programs

Sec. 8091. Short title.

Sec. 8092. Reauthorization of the comprehensive opioid abuse grant program.

Subtitle I—Fighting Opioid Abuse in Transportation

Sec. 8101. Short title.

Sec. 8102. Alcohol and controlled substance testing of mechanical employees.

Sec. 8103. Department of Transportation public drug and alcohol testing database.

Sec. 8104. GAO report on Department of Transportation’s collection and use of drug and alcohol testing data.

Sec. 8105. Transportation Workplace Drug and Alcohol Testing Program; addition of fentanyl and other substances.

Sec. 8106. Status reports on hair testing guidelines.


Sec. 8108. Electronic recordkeeping.

Sec. 8109. Status reports on Commercial Driver’s License Drug and Alcohol Clearinghouse.

Subtitle J—Eliminating Kickbacks in Recovery

Sec. 8111. Short title.

Sec. 8112. Criminal penalties.

Subtitle K—Substance Abuse Prevention

Sec. 8201. Short title.

Sec. 8202. Reauthorization of the Office of National Drug Control Policy.

Sec. 8203. Reauthorization of the Drug-Free Communities Program.

Sec. 8204. Reauthorization of the National Community Anti-Drug Coalition Institute.

Sec. 8205. Reauthorization of the High-Intensity Drug Trafficking Area Program.

Sec. 8206. Reauthorization of drug court program.

Sec. 8207. Drug court training and technical assistance.
(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)—

(A) by striking “and” at the end of paragraph (28);

(B) by striking the period at the end of paragraph (83) and inserting “: and”;

(C) by inserting after paragraph (85) the following new paragraph:

“(84) provide that—

“(A) the State shall not terminate eligibility for medical assistance under the State plan for an individual who is an eligible juvenile (as defined in subsection (nn)(2)) because the juvenile is an inmate of a public institution (as defined in subsection (nn)(3)) but who may suspend coverage during the period the juvenile is such an inmate;

“(B) in the case of an individual who is an eligible juvenile (as described in paragraph (83)) and the individual continues to meet the eligibility requirements for medical assistance, the State shall restore coverage for such medical assistance upon the individual’s release from such public institution; and

“(C) in the case of an individual who is an eligible juvenile (as described in paragraph (83)) and the individual makes a determination of eligibility for such individual with respect to such medical assistance upon release of such individual from such public institution.

(2) by adding at the end the following new subsection:

“(nn) JUVENILE; ELIGIBLE JUVENILE; PUBLIC INSTITUTION.—In paragraphs (section (nn)(2) of such title XIX of such Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order to meet the additional requirements imposed by the amendments made by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such title if the State fails to meet such additional requirements before the first day of the first calendar year of such period.

(b) COVERAGE CONTINUITY FOR FORMER FOSTER CARE CHILDREN UP TO AGE 26.—


(A) in item (a), by striking “are not described in or enrolled under” and inserting “are not described in and are not enrolled under”;

(B) in item (cc), by striking “responsibility of the State” and inserting “responsibility of a State”; and

(C) in item (dd), by striking “the State plan under this title or under a waiver of such a”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2013.
(iii) are qualified under applicable State law to provide substance use disorder treatment or recovery services.

(D) Improved reimbursement for and expansion of the provision of education, training, and technical assistance, the number or treatment capacity of providers participating under the State plan (or waiver) during the period of the demonstration project.

(I) Activities that, taking into account the results of the assessment described in clause (I), support the development of State infrastructure to, with respect to the provision of substance use disorder treatment or recovery services under the State plan (or a waiver of such plan), recruit prospective providers and provide training and technical assistance to such providers.

(D) FUNDING.—For purposes of subparagraph (A), there is appropriated, out of any funds in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended.

(4) POST-PLANNING STATES—

(A) IN GENERAL.—The Secretary shall, with respect to the remaining 36-month period of the demonstration project conducted under paragraph (1), select not more than 5 States in accordance with subparagraph (B) for purposes of carrying out the activities described in paragraph (2) and receiving payments in accordance with paragraph (5).

(B) SELECTION.—In selecting States for purposes of this paragraph, the Secretary shall—

(i) select States that have a State plan (or a waiver of such plan).

(ii) select States in a manner that ensures geographic diversity; and

(iii) select States in a manner that ensures geographic diversity and;

(iii) give preference to States with a prevalence of substance use disorders (in particular opioid use disorders) that is comparable to or higher than the national average prevalence, as measured by aggregate per capita drug use, or per capita measure that the Secretary deems appropriate.

(C) ACTIVITIES DESCRIBED.—Activities described in this subparagraph are, with respect to a State, each of the following:

(I) Activities that support the development and initial assessment of the behavioral health treatment needs of the State to determine the extent to which providers are needed (including the types of such providers and geographic area of need) to improve the network of providers that treat substance use disorders under the State plan (or waiver), including the following:

(aa) the number of individuals enrolled under the State plan (or a waiver of such plan) who have a substance use disorder;

(bb) information on the capacity of providers to provide substance use disorder treatment or recovery services to individuals enrolled under the State plan (or waiver), including information on providers who provide such services and their participation under the State plan (or waiver);

(cc) Information on the gap in substance use disorder treatment or recovery services to individuals enrolled under the State plan (or waiver) based on the information described in subclauses (I) and (II);

(dd) Projections regarding the extent to which the State participating under the demonstration project would increase the number of providers offering substance use disorder treatment or recovery services under the State plan (or waiver) during the period of the demonstration project.

II) Activities that, taking into account the results of the assessment described in clause (I), support the development of State infrastructure to, with respect to the provision of substance use disorder treatment or recovery services under the State plan (or a waiver of such plan), recruit prospective providers and provide training and technical assistance to such providers.

(D) FUNDING.—For purposes of subparagraph (A), there is appropriated, out of any funds in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended.

(4) POST-PLANNING STATES—

(A) IN GENERAL.—The Secretary shall, with respect to the remaining 36-month period of the demonstration project conducted under paragraph (1), select no more than 5 States in accordance with subparagraph (B) for purposes of carrying out the activities described in paragraph (2) and receiving payments in accordance with paragraph (5).

(B) SELECTION.—In selecting States for purposes of this paragraph, the Secretary shall—

(i) select States that received a planning grant under paragraph (3);

(ii) select States that submit to the Secretary an application in accordance with the requirements in subparagraph (C), taking into consideration the quality of such application;

(iii) select States in a manner that ensures geographic diversity; and

(iv) give preference to States with a prevalence of substance use disorders (in particular opioid use disorders) that is comparable to or higher than the national average prevalence, as measured by aggregate per capita drug use, or per capita measure that the Secretary deems appropriate.

(C) APPLICATIONS.—

(I) IN GENERAL.—A State seeking to be selected for purposes of this paragraph shall submit to the Secretary, at such time and in such form and manner as the Secretary requires, an application that includes information, provisions, and assurances, as the Secretary may require, in addition to the following:

(aa) A proposed process for carrying out the ongoing assessment described in paragraph (2)(A), taking into account the results of the initial assessment described in paragraph (2)(C); and

(bb) A review of reimbursement methodologies and other policies related to substance use disorder treatment or recovery services provided by providers that may create barriers to increasing the number of providers delivering such services.

(III) The development of a plan, taking into account the information submitted under paragraph (3)(C)(ii), that will result in long-term and sustainable provider networks under the State plan (or waiver) that will coordinate the goals of the demonstration project.

(B) QUALIFIED SUMS DEFINED.—For purposes of subparagraph (A), the term ‘qualified sums’ means, with respect to a State and quarter, the amount equal to the amount (if any) by which the sums expended by the State during such quarter attributable to substance use disorder treatment or recovery services furnished by providers participating under the State plan (or waiver of such plan) exceeds 1/4 of such sums expended by the State during fiscal year 2018 attributable to substance use disorder treatment or recovery services.

(C) NON-DUPLICATION OF PAYMENT.—In the case that payment is made under subparagraph (A) with respect to expenditures for substance use disorder treatment or recovery services provided by providers participating under the State plan (or waiver of such plan), payment may not also be made under subsection (a) with respect to expenditures for the same services so furnished.

(6) REPORTS.—

(A) STATE REPORTS.—A State receiving payments under paragraph (5) shall, for the period of the demonstration project under this subsection, submit to the Secretary a quarterly report, and final reports, for increasing the substance use disorder treatment and recovery provider network under the State plan (or a waiver of such plan).

(B) STRATEGIES.—The Secretary shall establish and operate a registry of strategies for increasing the substance use disorder treatment and recovery provider network under the State plan (or a waiver of such plan).
to the State under this subsection, on the following:

"(i) The specific activities with respect to which payment under this subsection was provided, and the development of best practices between such States and States that were not so selected.

"(ii) The number of providers that delivered substance use disorder treatment or recovery services in the State under the demonstration project compared to the estimated number of such providers that would have otherwise delivered such services in the absence of such demonstration project.

"(iii) The number of individuals enrolled under the State plan (or a waiver of such plan) who received substance use disorder treatment or recovery services under the demonstration project compared to the estimated number of such individuals who would have otherwise received such services in the absence of such demonstration project.

"(iv) Other matters as determined by the Secretary.

(B) CMS REPORTS.

"(1) INITIAL REPORT.—Not later than October 1, 2022, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality, submit to Congress an initial report that was in place before October 1, 2022, the Administrator of the Centers for Medicare & Medicaid Services, shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress an initial report: 

"(I) the states awarded planning grants under paragraph (3);

"(II) the criteria used in such selection; and

"(III) the activities carried out by such States under such planning grants.

"(2) INTERIM REPORT.—Not later than October 1, 2022, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress an interim report—

"(I) on activities carried out under the demonstration project under this subsection;

"(II) on the extent to which States selected under paragraph (4) have achieved the stated goals submitted in their applications under subparagraph (C) of such paragraph;

"(III) with a description of the strengths and limitations of such demonstration project;

"(IV) with a plan for the sustainability of such project.

"(iii) FINAL REPORT.—Not later than October 1, 2022, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress a final report—

"(I) providing updates on the matters reported in the interim report under clause (i);

"(II) including a description of any changes made with respect to the demonstration project or another section after the submission of such interim report; and

"(III) evaluating such demonstration project.

"(C) AHRQ REPORT.—Not later than 3 years after the date of the enactment of this subsection, the Director of the Agency for Healthcare Research and Quality, in consultation with the Administrator of the Centers for Medicare & Medicaid Services, shall submit to Congress a summary on the experiences of States awarded planning grants under paragraph (3) and States selected under paragraph (4).

"(7) DATA SHARING AND BEST PRACTICE.—During the period of the demonstration project under this subsection, the Secretary shall, in collaboration with States selected under paragraph (4), facilitate data sharing and the development of best practices between such States and States that were not so selected.

"(8) CMS FUNDING.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, $5,000,000 to the Centers for Medicare & Medicaid Services for purposes of implementing this subsection. Such amount shall remain available until expended.

SEC. 1004. MEDICAID DRUG REVIEW AND UTILIZATION REQUIREMENTS.

(a) Medicaid Drug Utilization Review.—

(1) State Plan Requirement.—Section 1922(a) of the Social Security Act (42 U.S.C. 1396a(a)), as amended by section 101, is further amended—

"(A) in paragraph (85), by striking "and"; and

"(B) in paragraph (86), by striking "and"; and

"(C) in paragraph (87), by striking "and".

(2) Drug Review and Utilization Requirements.—Section 1396a(a), as amended by section 101, is further amended by adding the following paragraph:

"(1) In General.—For purposes of sub-section (a)(85), the drug review and utilization requirements under subsection (a)(85) are subject to paragraph (3) and beginning October 1, 2019, the following:

"(A) the criteria used in such selection;

"(B) the criteria used in such selection requirements under this subsection are, subject to paragraph (3) and beginning October 1, 2019, the following:

"(i) the standards and procedures for awarding grants to States under such planning grants.

"(ii) the activities carried out by such States under such planning grants.

"(iii) data sharing and best practices.

"(iv) Other matters as determined by the Secretary.

(3) Drug Review and Utilization Requirements.—

(1) In General.—The State has in place—

"(i) a program to review claims for payment by a program described in such subparagraph that was in place before October 1, 2019;

"(ii) policies, procedures, and processes for purposes of implementing this subsection. Such amount shall remain available until expended.

"(C) other matters as determined by the Secretary.

"(2) Drug Review and Utilization Requirements.—

"(I) providing updates on the matters reported in the interim report under clause (i);

"(II) including a description of any changes made with respect to the demonstration project or another section after the submission of such interim report; and

"(III) evaluating such demonstration project.

"(ii) is a resident of a long-term care facility, a facility described in section 1965(e), or an inpatient facility; and

"(ii) treatment for cancer;

"(iv) the State elects to treat as exempted from such requirements.

"(B) Exception Relating to Ensuring Access.—In order to ensure reasonable access to a program described in such subparagraph, the Secretary shall waive the drug review and utilization requirements under such subsection, with respect to a State, subject to the drug review and utilization requirements under such subsection, with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D-4(c)(5)(D)(II)(II)).

(3) Managed Care Entities.—Section 1902 of the Social Security Act (42 U.S.C. 1396a-2) is amended by adding at the end the following new subsection:
"(i) Drug Utilization Review Activities and Requirements.—Beginning not later than October 1, 2019, each contract under a State plan with a managed care entity (other than a primary care case manager) under section 1903(m) shall provide that the entity is in compliance with the applicable provisions of title 4 Code of Federal Regulations, section 438.3(a)(4) of such title, and section 483.3(a)(5) of such title, as such provisions were in effect on March 27, 2018.

(b) Identifying and Addressing Inappropriate Prescribing and Billing Practices Under Medicaid.—

(1) Requirement.—Section 1927(g) of the Social Security Act (42 U.S.C. 1396w-8(g)) is amended—

(A) in paragraph (1)(A)—

(i) by striking "of section 1905(a)(10)(B)" and inserting "of section 1902(a)(54)";

(ii) by striking", or later than January 1, 1993;", and

(iii) by inserting after "gross overuse," the following: "excessive utilization;", and

(iv) by striking "or inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization;" and

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

(i) by inserting after "gross overuse," the following: "excessive utilization;" and

(ii) by striking "or inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization;" and

(iii) by inserting after "gross overuse," the following: "excessive utilization;" and

(ii) by striking "or inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization;" and

(ii) by striking "or inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization;"

(2) Effective date.—The amendments made by paragraph (1) shall take effect with respect to prospective payments made under a contract made on or after October 1, 2020.

SEC. 1005. GUIDANCE TO IMPROVE CARE FOR INFANTS WITH NEONATAL ABSTINENCE SYNDROME AND MATERNAL MOTHERS; GAO STUDY ON GAP IN MEDICAID COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN WITH SUBSTANCE USE DISORDER.

(a) Guidance.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue guidance to improve care for infants with neonatal abstinence syndrome and their families. Such guidance shall include—

(1) best practices from States with respect to innovative or evidenced-based payment models for prevention, treatment, plans of safe care, and postdischarge services for mothers and fathers with substance use disorders and babies with neonatal abstinence syndrome that improve care and clinical outcomes;

(2) recommendations for States on available financing options under the Medicaid program, under title XIX of such Act and under the Children's Health Insurance Program under title XXI of such Act for Children's Health Insurance Program Health Services; and

(3) practices and technical assistance to State Medicaid agencies regarding additional flexibilities and incentives related to screening, prevention, and postdischarge services, including assessments, and infant caregiver bonding, including breastfeeding when it is appropriate; and

(g) guidance regarding suggested terminology and HCPCS codes to identify infants with neonatal abstinence syndrome and neonatal opioid withdrawal syndrome, which could include opioid-exposure, opioid withdrawal, or opioid withdrawal requiring pharmacotherapy.

(b) GAO Study.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study, and submit to Congress a report on the gaps in coverage for pregnant women with substance use disorder under the Medicaid program under title XIX, and gaps in coverage for postpartum women with substance use disorder who had coverage during their pregnancy under the Medicaid program and subsequent care.

SEC. 1006. MEDICAID HEALTH HOMES FOR SUBSTANCE-USE-ORDERED MEDICATION-ASSISTED TREATMENT.

(a) Extension of Enhanced FMAP for Certain Health Homes for Individuals With Substance Use Disorders.—

(1) General.—Section 1956(c) of the Social Security Act (42 U.S.C. 1396w-4(c)) is amended—

(i) in paragraph (1), by inserting "subject to paragraph (4)," after "except that;", and

(ii) by adding at the end the following new paragraph:

(4) Special Rule Relating to Substance Use Disorder Health Homes.—

(A) IN GENERAL.—In the case of a State with an SUD-focused State plan amendment approved by the Secretary on or after October 1, 2018, the Secretary may, at the request of the State, extend the authority of the Federal medical assistance percentage described in paragraph (1) to payments for the provision of health home services to SUD-eligible individuals under such State plan amendment, in addition to the first fiscal year quarters the State plan amendment is in effect, for the subsequent 2 fiscal year quarters that the State plan amendment is in effect. Nothing in this section shall be construed as prohibiting a State with a Medicaid State plan that is approved under this section and that is not an SUD-focused State plan amendment from additionally having approved on or after such date an SUD-focused State plan amendment under this section, including for purposes of application of this paragraph.

(B) Report Requirements.—In the case of a State with an SUD-focused State plan amendment for which the application of the Federal medical assistance percentage has been extended under subparagraph (A), such State shall, at the end of such period of such State plan amendment, submit to the Secretary a report on the following, with respect to SUD-eligible individuals provided health home services under such State plan amendment:

(i) The quality of health care provided to such individuals, with a focus on outcomes relevant to the recovery of each such individual.

(ii) The access of such individuals to health care.

(iii) The total expenditures of such individuals for health care.

For purposes of this subparagraph, the Secretary shall specify all applicable measures for determining quality, access, and expenditures.

(C) Best Practices.—Not later than October 1, 2020, the Secretary shall make publicly available on the internet website of the Centers for Medicare & Medicaid Services best practices for designing and implementing an SUD-focused State plan amendment, based on plans and amendments that have State plan amendments approved under this section that include SUD-eligible individuals.

(D) Definitions.—For purposes of this paragraph:

(i) SUD-Eligible Individuals.—The term 'SUD-eligible individual' means, with respect to a State, an individual who satisfies all of the following:

(I) the individual is an eligible individual with a substance use disorder.

(II) The individual has not previously received health home services under any other State plan amendment, including the State plan amendment for the State under this section by the Secretary.

(III) SUD-Focused State Plan Amendment.—The term 'SUD-focused State plan amendment' means a State plan amendment under this section that is designed to provide health home services primarily to SUD-eligible individuals.

(b) Requirement for State Medicaid Plans To Provide Coverage for Medication-Assisted Treatment.—

The Secretary shall make State Medicaid plans applicable on the internet website of the Centers for Medicare & Medicaid Services to provide coverage for medication-assisted treatment.

(1) Effective date.—Section 1905(a)(a)(10)(A) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)) is amended, in the matter preceding clause (i), by striking "(28)" and "(29)".

(2) Inclusion of Medication-Assisted Treatment Defined.—Section 1905(a)(a)(10)(A) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)) is amended by adding at the end the following new subsection:

(c) Medication-Assisted Treatment Defined.—

(i) Definition.—For purposes of subsection (a)(29), the term 'medication-assisted treatment' means—

(A) means all drugs approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), including methadone, buprenorphine, and other drugs listed under section 301 of the Public Health Service Act (42 U.S.C. 262) to treat opioid use disorders;

(i)眶 means; and

(ii) applies, with respect to the provision of such drugs and biological products, counseling services and behavioral therapy.

(2) Exception.—The provisions of paragraph (1) of subsection (ee) may apply with respect to a State to the period specified in such paragraph, if before the beginning of such period the State certifies to the Secretary that it is implementing such provisions statewide for all individuals eligible to enroll in the State plan (or waiver of the State plan) which will be eligible for reimbursement under such State plan and to the extent to which the State has a contract under section 1903(m) or under section 1905(l)(3)."

(3) Effective date.—

(A) In general.—Subject to subparagraph (B), the amendments made by this subsection shall apply with respect to medical assistance provided on or after October 1, 2020, and before October 1, 2025.

(B) Exception for state legislation.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), if before October 1, 2025, the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by the amendments made by this subsection, the respective plan shall not be regarded as failing to comply with the requirements of such
title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, the second regular session shall be considered to be a separate regular session of the State legislature.

SEC. 1007. CAREING RECOVERY FOR INFANTS AND BABIES.

(a) STATE PLAN AMENDMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a), as amended by sections 1001 and 1004, is further amended by—

(i) in paragraph (84)(C), by striking “and”; and

(ii) by inserting after paragraph (85), the following new paragraph:

“(86) provide, at the option of the State, for making medical assistance available on an inpatient or outpatient basis at a residential pediatric recovery center (as defined in subsection (pp) to infants with neonatal abstinence syndrome.”

(b) RESIDENTIAL PEDIATRIC RECOVERY CENTER DEFINED.—Section 1902 of such Act (42 U.S.C. 1396a), as amended by sections 1001 and 1004, is further amended by adding at the end the following new subsection:

“(pp) RESIDENTIAL PEDIATRIC RECOVERY CENTER.—

“(1) IN GENERAL.—For purposes of section 1902(a)(86), the term ‘residential pediatric recovery center’ means a center or facility that furnishes items and services for which medical assistance is available under the State plan to infants with the diagnosis of neonatal abstinence syndrome without any other significant medical risk factors.

“(2) COUNSELING AND SERVICES.—A residential pediatric recovery center may offer counseling and other services to mothers (and other appropriate family members and caretakers) of infants receiving treatment at such centers if such services are otherwise covered under the State plan under this title or under a waiver of such plan. Such other services may include the following:

“(A) Counseling or referrals for services.

“(B) Services to encourage caregiver-infant bonding.

“(C) Training on caring for such infants.”.

(c) EFFECTIVE DATE.—The amendments made by this subsection take effect on the date of enactment of this Act and shall apply to dates after the date of enactment of this Act and shall apply to instances covered under the State plan under this title.

U.S. GOVERNMENT PUBLIC LAW

SEC. 1008. PEER SUPPORT ENHANCEMENT AND EVALUATION OF CORE REIMBURSEMENT.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Health, Education, Labor and Pensions of the Senate a report on the provision of peer support services under the Medicaid program.

(b) CONTENT OF REPORT.—

(1) IN GENERAL.—The report required under subsection (a) shall include the following information:

(A) Information on State coverage of peer support services under Medicaid, including—

(i) the mechanisms through which States may provide such coverage, including through existing statutory authority or through administrative action; and

(ii) the populations to which States have provided such coverage;

(B) Information on State payment of peer support services under Medicaid, including—

(iii) the payment models, including any alternative payment models, used by States to pay providers of such services; and

(iv) where available, information on Federal and State requirements under Medicaid for peer support services.

(C) Information on selected State experiences in providing medical assistance for peer support services under Medicaid plans and whether States measure the effects of providing such assistance with respect to—

(i) improving access to behavioral health services;

(ii) improving early detection, and preventing worsening, of behavioral health disorders;

(iii) reducing chronic and comorbid conditions; and

(iv) reducing overall health costs.

(D) Recommendation.—The report required under subsection (a) shall include recommendations, including recommendations for such legislative and administrative actions related to improving services, including peer support services, and access to peer support services under Medicaid as the Comptroller General of the United States determines appropriate.

SEC. 1009. MEDICAID SUBSTANCE USE DISORDER TREATMENT AND REMOTE PATIENT MONITORING.

(a) DEFINITIONS.—In this section:

(1) COMPTROLLER GENERAL.—The term ‘Comptroller General’ means the Comptroller General of the United States.

(ii) A school-based health center has the meaning given that term in section 330(c)(9) of the Public Health Service Act (42 U.S.C. 254b(c)(3)).

(iii) The term ‘Secretary’ means the Secretary of Health and Human Services.

(b) GUIDANCE TO STATES REGARDING FEDERAL REIMBURSEMENT FOR FURNISHING SERVICES AND TREATMENT FOR SUBSTANCE USE DISORDERS UNDER MEDICAID DELIVERED VIA TELEHEALTH, INCLUDING IN SCHOOL-BASED HEALTH CENTERS.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue a report to the Committee on Finance of the Senate and the Committee on Energy and Commerce of the House of Representatives identifying best practices and potential solutions for reducing barriers to using services delivered via telehealth to furnish services and treatment for substance use disorders under Medicaid. The report shall include—

(A) analyses of the best practices, barriers, and potential solutions for using services delivered via telehealth to furnish services and treatment for children with substance use disorders, including opioid use disorder; and

(B) a detailed analysis and analysis of the differences, if any, in furnishing services and treatment for children with substance use disorders using services delivered via telehealth and using services delivered in person, such as, and to the extent feasible, with respect to—

(i) utilization rates;

(ii) costs;

(iii) avoidable inpatient admissions and readmissions;

(iv) quality of care; and

(v) patient, family, and provider satisfaction.

(2) PUBLICATION.—The Secretary shall publish the report required under paragraph (1) on the Federal Register of the Department of Health and Human Services.

SEC. 1010. ENHANCING PATIENT ACCESS TO NON-OPIOID TREATMENT OPTIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue one or more final guidance documents, or update existing guidance documents, to States regarding mandatory and optional items and other options that may be provided under a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or under a waiver...
of such a plan, for non-opioid treatment and management of pain, including, but not limited to, evidence-based, non-opioid pharmacological therapies and non-pharmacological therapies.

SEC. 1011. ASSESSING BARRIERS TO OPIOID USE DISORDER TREATMENT.

(a) STUDY.—(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study of the barriers to providing medication used in the treatment of substance use disorders under Medicaid distribution models such as the “buy-and-bill” model and other State Medicaid programs to improve or reduce such barriers.

The study shall include analyses of each of the following models of distribution of substance use disorder treatment medications, particularly buprenorphine, naltrexone, and buprenorphine-naloxone combinations:

(A) The purchasing, storage, and administration of substance use disorder treatment medications by providers.

(B) The dispensing of substance use disorder treatment medications by pharmacies.

(C) The ordering, prescribing, and obtaining of substance use disorder treatment medications on demand from specialty pharmacies by providers.

(b) REQUIREMENTS.—For each model of distribution specified in paragraph (1), the Comptroller General shall evaluate how each model operates, or could be improved by selected State Medicaid programs to reduce the barriers related to the provision of substance use disorder treatment by examining what is known about the effects of the model of distribution on—

(A) Medicaid beneficiaries’ access to substance use disorder treatment medications;

(B) the impact to the patient of differences in each of the distribution models on medication-aided treatment; and

(C) provider willingness to provide or prescribe substance use disorder treatment medications.

(c) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for modification and administrative action as the Comptroller General determines appropriate.

SEC. 1012. HELP FOR MOMS AND BABIES.

(a) T-MSIS SUBSTANCE USE DISORDER DATA PLAN.—Section 1905(b)(1) of the Social Security Act (42 U.S.C. 1396d(b)), as amended by section 1006, is further amended by adding at the end the following new paragraph:

“(7) Payment shall be made under this title for States for capitaitation payments described in section 1866(e) of title 42, Code of Federal Regulations (or any successor regulation).”

(b) T-MSIS SUBSTANCE USE DISORDER DATA PLAN FOR MOTHERS AND BABIES.—Section 1905(b)(1) of the Social Security Act (42 U.S.C. 1396d(b)), as amended by section 1006, is further amended by adding at the end the following new paragraph:

“(8) The Secretary shall conduct a study to determine whether managed care utilization control policies and procedures for medication-assisted treatment for substance use disorder under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which include—

(A) an inventory of such utilization control policies and related protocols for ensuring access to medically necessary treatment;

(B) determine whether managed care utilization control policies and procedures for medication-assisted treatment for substance use disorder under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which include—

(i) a medicaid managed care entity (as defined in section 1396d–2(a)(1)(B) of the Social Security Act (42 U.S.C. 1396d–2(a)(1)(B)), including the number of such individuals who received such assistance through a prepaid inpatient health plan or a prepaid ambulatory health plan;

(ii) a fee-for-service payment model; or

(iii) an alternative payment model, to the extent available.

(c) FUNDING.—The Secretary shall issue an updated version of the report required under paragraph (1) not later than January 1 of each calendar year through 2021.

SEC. 1013. ASSESSING BARRIERS TO OPIOID USE DISORDER TREATMENT.

(a) STUDY.—The Medicaid and CHIP Payment and Access Commission shall conduct a study and analysis of utilization control policies applied to medication-assisted treatment for substance use disorders under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which include—

(1) an inventory of such utilization control policies and related protocols for ensuring access to medically necessary treatment;

(2) determine whether managed care utilization control policies and procedures for medication-assisted treatment for substance use disorder under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which include—

(i) a medicaid managed care entity (as defined in section 1396d–2(a)(1)(B) of the Social Security Act (42 U.S.C. 1396d–2(a)(1)(B)), including the number of such individuals who received such assistance through a prepaid inpatient health plan or a prepaid ambulatory health plan;

(ii) a fee-for-service payment model; or

(iii) an alternative payment model, to the extent available.

(3) the number and percentage of individuals enrolled in the State Medicaid plan or waiver, by major enrollment category, who receive substance use disorder treatment services, and the number and percentage of individuals enrolled in the State Medicaid plan or waiver, by major enrollment category, who receive substance use disorder treatment services in an outpatient or home-based and community-based setting.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Medicaid and CHIP Payment and Access Commission shall make publicly available a report containing the results of the study conducted under subsection (a).
(b) MAKING T-MISIS DATA ON SUBSTANCE USE DISORDERS AVAILABLE TO RESEARCHERS.—

(1) IN GENERAL.—The Secretary shall publish in the Federal Register a system or record notice for the data specified in paragraph (2) for the transformed Medicaid Statistical Information System, in accordance with the provisions of title 5, United States Code. The notice shall outline policies that protect the security and privacy of the data that, at a minimum, meet the security and privacy policies of SORN 09-70-6441 for the Medicaid Statistical Information System.

(2) REQUIRED DATA.—The data covered by the system or record notice required under paragraph (1) shall be sufficient for researchers and States to analyze the prevalence of substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid across all States (including the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa), forms of treatment, and treatment settings.

(3) INITIATION OF DATA-SHARING ACTIVITIES.—Not later than January 1, 2021, the Secretary shall initiate the data-sharing activities outlined in the notice required under paragraph (1).

SEC. 1016. BETTER DATA SHARING TO COMBAT THE OPIOID CRISIS.

(a) IN GENERAL.—Section 1903(m) of the Social Security Act (42 U.S.C. 1396m(b), as amended by section 1013, is further amended by adding at the end the following new paragraph:

"(8)(A) The State agency administering the State plan under this title may have reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to the extent that the State agency is permitted to access such databases under State law.

"(B) Such State agency may facilitate reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to the extent that the State agency is permitted to access such databases under State law.

"(C) Such State agency may facilitate reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to the extent that the State agency is permitted to access such databases under State law.

(b) M A K I N G T-MISIS DATA ON SUBSTANCE USE DISORDERS AVAILABLE TO RESEARCHERS.—

SEC. 2001. EXPANDING THE USE OF TELEHEALTH SERVICES FOR THE TREATMENT OF OPIOID USE DISORDER AND OTHER SUBSTANCE USE DISORDERS.

(a) IN GENERAL.—Section 1334(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(1) in paragraph (2)(B)—

(A) in the heading, by striking "clause (ii)" and inserting "clause (ii) and paragraph (6)(C)"; and

(B) in the heading, by striking "FOR HOME DIALYSIS THERAPY";

(2) in paragraph (4)(C)—

(A) in clause (i), by striking "paragraph (6)" and inserting paragraphs (5), (6), and (7); and

(B) in clause (ii)(X), by inserting "or telehealth services described in paragraph (7)" before the period at the end; and

(3) by adding at the end the following new paragraph:

"(7) TREATMENT OF SUBSTANCE USE DISORDER SERVICES FURNISHED THROUGH T E L E H E A L T H.—The geographic requirements described in paragraph (4)(C)(i) shall not apply with respect to telehealth services furnished on or after July 1, 2019, to an eligible telehealth individual with a substance use disorder diagnosis for purposes of treatment of substance use disorder or co-occurring mental health disorder, as determined by the Secretary, at an originating site described in paragraph (4)(C)(ii) other than an originating site described in subparagraph (I) of such paragraph."

(b) IMPLEMENTATION.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall implement the amendments made by this section by interim final rule.

(c) REPORT.—IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the impact of the implementation of the amendments made by this section with respect to telehealth services under section 1334(m) of the Social Security Act (42 U.S.C. 1395m(m)) on—

(1) the utilization of health care items and services under title XVIII of such Act (42 U.S.C. 1395 et seq.) related to substance use disorders, including emergency department visits; and

(2) health outcomes related to substance use disorders, such as opioid overdose deaths.

(d) FUNDING.—For purposes of carrying out paragraph (1), in addition to funds otherwise available, the Secretary shall provide for the transfer, from the Federal Supplementary Medical Insurance Trust Fund under section 1812 of such Act (42 U.S.C. 1395b-2) to the Medicare & Medicaid Services Program Management Account, to remain available until expended.
SEC. 2002. COMPREHENSIVE SCREENINGS FOR SENIORS.

(a) INITIAL PREVENTIVE PHYSICAL EXAMINATION.—Section 1833(a)(1)(H) of the Social Security Act (42 U.S.C. 1395w–224(a)(1)(H)) is amended—

(1) in paragraph (1)—

(A) by striking paragraph (2) and inserting—

‘‘(2) a review of the potential risk factors to the individual’s health under the Federal Food, Drug, and Cosmetic Act for use in the treatment of substance abuse for which the individual is prescribed a drug under a research protocol;’’;

(B) by inserting—

‘‘(3) a prescription prescribed by a practitioner for an individual who is—

(A) prescribed a drug under a research protocol; or

(B) a prescription that cannot be included in electronic prescribing, such as a drug with risk evaluation and mitigation strategies that include elements for safe use;’’;

and

(2) in paragraph (2)—

(A) by redesignating subparagraph (N) as subparagraph (O); and

(B) by inserting the following new subparagraph:

‘‘(N) Screening for potential substance use disorders.’’;

and

(3) by adding at the end the following new paragraph:

‘‘(4) For purposes of paragraph (1), the term ‘a review of any current opioid prescriptions’ means, with respect to an individual determined to have a current prescription for opioids—

(A) a review of the potential risk factors to the individual for opioid use disorder;

(B) an evaluation of the individual’s severity of pain and current treatment plan;

(C) the provision of information on non-opioid pain relievers; and

(D) a referral to a specialist, as appropriate.’’;

(b) ANNUAL WELLNESS VISIT.—Section 1861(hhh)(2) of the Social Security Act (42 U.S.C. 1395d(hhh)(2)) is amended—

(1) by redesignating subparagraph (G) as subparagraph (H); and

(2) by inserting after subparagraph (F) the following new subparagraphs:

‘‘(G) Screening for potential substance use disorder and referral for treatment as appropriate.

‘‘(H) The furnishing of a review of any current opioid prescriptions (as defined in subsection (jjj)) to the individual for whom the prescription is furnished, to the extent that the practitioner, with respect to a covered part D drug for which the Food and Drug Administration requires a prescription to contain electronic prescribing, such as a drug with risk evaluation and mitigation strategies that include elements for safe use;’’;

and

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) or (b) shall be construed to prohibit separate payment for structured assessment and interventional services for substance abuse furnished to an individual on the same day as an initial preventive physical examination or an annual wellness visit.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to examinations and visits furnished on or after January 1, 2018.

SEC. 2003. EVERY PRESCRIPTION CONVEYED SECURELY.

(a) IN GENERAL.—Section 1860D–4(e) of the Social Security Act (42 U.S.C. 1395w–104(e)) is amended by adding at the end the following:

‘‘(7) REQUIREMENT OF E-PREScribing FOR CONTROLLED SUBSTANCES.—

‘‘(A) IN GENERAL.—Subject to subparagraph (B), a prescription for a covered part D drug under a prescription drug plan (or under an MA–PD plan) for a schedule II, III, IV, or V controlled substance shall be transmitted by a health care practitioner electronically in accordance with an electronic prescription drug program that meets the requirements of paragraph (2).

‘‘(B) EXCEPTION FOR CERTAIN CIRCUMSTANCES.—The Secretary shall, through rulemaking, specify circumstances and processes by which the Secretary may waive the requirement under subparagraph (A), with respect to a covered part D drug, including in the case of—

(i) a prescription issued when the practitioner and dispensing pharmacy are the same entity;

(ii) a prescription issued that cannot be transmitted electronically under the most recently implemented version of the National Council for Prescription Drug Programs SCRIPT Standard;

(iii) a prescription issued by a practitioner who received a waiver or a renewal thereof of a period of time as determined by the Secretary, not to exceed one year, from the requirement to use electronic prescribing due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner;

(iv) a prescription issued by a practitioner under circumstances in which, notwithstanding the practitioner’s ability to submit a prescription electronically as required by this section, the practitioner reasonably determines that it would be impractical for the individual involved to obtain substances prescribed by electronic prescription in a timely manner, and such delay would adversely impact the individual’s medical condition involved;

(v) a prescription issued by a practitioner prescribing a drug under a research protocol;

(vi) a prescription issued by a practitioner for a drug for which the Food and Drug Administration requires a prescription to contain electronic prescribing, such as a drug with risk evaluation and mitigation strategies that include elements for safe use;

(vii) a prescription issued by a practitioner—

(I) for an individual who receives hospice care under this title; and

(ii) that is not covered under the hospice benefit under this title; and

(viii) a prescription issued by a practitioner for an individual who is—

(I) a resident of a nursing facility (as defined in section 191a); and

(ii) dually eligible for benefits under this title and title XVIII;

(C) DISPENSING.—(i) Nothing in this paragraph shall be construed as affecting the ability of an individual who is prescribed a drug under a research protocol to—

(A) opioid agonist and antagonist treatment medications (including oral, injected, or implanted versions) that are approved by the Secretary, not to exceed one year after the date of enactment of this Act, the Attorney General shall update the requirements for the biometric component of multifactor authentication with respect to electronic prescriptions of controlled substances.

SEC. 2004. REQUIRING PRESCRIPTION DRUG PLAN SPONSORS UNDER MEDICARE TO ESTABLISH DRUG MANAGEMENT PROGRAMS FOR AT-RISK BENEFICIARIES.

Section 1860D–4(c) of the Social Security Act (42 U.S.C. 1395w–104(c)) is amended—

(1) in paragraph (1), by inserting after subparagraph (E) the following new subparagraph:

‘‘(F) With respect to plan years beginning on or after January 1, 2022, a drug management program for at-risk beneficiaries described in paragraph (5).’’;

and

(2) in paragraph (5), by inserting “(and for plan years beginning on or after January 1, 2022, a PDP sponsor shall)” after “A PDP sponsor may”.
(A) by striking “and (bb)” and inserting “(bb)”;
and
(B) by inserting before the semicolon at the end the following new subclause:

“(cc) with respect to the furnishing of opioid use disorder treatment services (as defined in paragraph (1) of such section) that are furnished by such program to an individual during an episode of care (as defined by the Secretary) beginning on or after January 1, 2020. The Secretary shall ensure, as determined appropriate by the Secretary, that any duplicative payment made under this part for opioid use disorder treatment services (as defined in paragraph (1) of such section) that are furnished by such program to an individual during an episode of care (as defined by the Secretary) beginning on or after January 1, 2020, shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution; and

(2) in subparagraph (E), by striking “and” and all that follows and inserting “and”.

SEC. 3006. ENCOURAGING APPROPRIATE PRESCRIPTION UNDER MEDICARE FOR VICTIMS OF OPIOID OVERDOSE.

Section 1860D–4(c)(5)(C) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended—

(1) in subparagraph (B), in each of clauses (ii)(III) and (ii)(IV), by striking “and the option of an automatic escalation to external review” and inserting “, including notice that consideration of a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution;”;
and

(2) in subparagraph (E), by striking “and the option” and all that follows and inserting “of a credible allegation of fraud by a PDP sponsor.”

SEC. 3008. SUSPENSION OF PAYMENTS BY MEDICARE PRESCRIPTION DRUG PLANS AND MA-PD PLANS PENDING INVESTIGATION OF CREDIBLE ALLEGATIONS OF FRAUD BY PHARMACIES.

(a) In general.—Section 1862(o)(1) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended—

(1) by striking paragraph (1), by striking at the end and inserting “and”;
and
(2) by adding at the end the following new paragraph:

“(7) SUSPENSION OF PAYMENTS PENDING INVESTIGATION OF CREDIBLE ALLEGATIONS OF FRAUD BY PHARMACIES.—

(A) In general.—Section 1862(o)(1) shall apply with respect to a PDP sponsor with a contract under this part, a pharmacy, and payments to such pharmacy under this part in the same manner as such section applies with respect to the Secretary, a provider of services or supplies under section 1857(f)(3)(D), and a pharmacy or provider of services or supplier under this title. A PDP sponsor shall notify the Secretary regarding the imposition of any payment obligations under this subparagraph, the evidentiary standards and the development of such guidance documents, to help address challenges to developing non-addictive medical products intended to treat pain or addiction; and

(b) Rule of construction.—Nothing in this paragraph shall be construed as limiting the authority of a PDP sponsor to conduct postpayment review.

(b) Application to MA-PD plans.—Section 1857(f)(3) of the Social Security Act (42 U.S.C. 1395w–27(f)(3)) is amended by adding at the end the following new subparagraph:

“(7) SUSPENSION OF PAYMENTS PENDING INVESTIGATION OF CREDIBLE ALLEGATIONS OF FRAUD BY PHARMACIES.—Section 1860D–12(b)(7) (including as applied pursuant to section 1857(f)(3)(D)), after this subparagraph.”

(c) Conforming amendment.—Section 1862(o)(3) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended by inserting “,” after the end of such section.

(d) Clarification relating to credible allegations of fraud.—Section 1862(o)(3) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended by adding at the end the following new paragraph:

“(4) CREDIBLE ALLEGATION OF FRAUD.—In carrying out this subsection, section 1860D–12(b)(7) (including as applied pursuant to section 1857(f)(3)(D)), and section 1903(i)(2)(C), a fraud hotline tip (as defined by the Secretary) without further evidence shall not be treated as sufficient evidence for a credible allegation of fraud.

(e) Effective date.—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2020.

TITLED—FIMA AND CONTROLLED SUBSTANCE PROVISIONS

Subtitle A—FIMA Provisions

CHAPTER 1—IN GENERAL

SEC. 3001. CLARIFYING FDA REGULATION OF NON-ADDICTIVE PAIN PRODUCTS.

(a) Public meetings.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Commissioner of Food and Drugs, shall hold not less than one public meeting to address the challenges and barriers of developing non-addictive medical products intended to treat acute or chronic pain or addiction, which may include—

(1) the manner by which the Secretary may incorporate the risks of misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) into the risk benefit assessments under subsections (d) and (e) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), section 1860D–12(o) of title 18 (21 U.S.C. 360k), or section 515(c) of such Act (21 U.S.C. 360c(c)), as applicable;

(2) the application of novel clinical trial designs (consistent with section 3021 of the 21st Century Cures Act (Public Law 114–255)), use of real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), including postmarket experience data (consistent with section 596C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b–bb–8)) for the development of non-addictive medical products intended to treat pain or addiction;

(3) the evidentiary standards and the development of opioid-sparing data for inclusion in the labeling of medical products intended to treat acute or chronic pain; and

(4) the application of eligibility criteria under sections 506 and 515B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356, 360e–3) for non-addictive medical products intended to treat pain or addiction.

(b) Rule of construction.—Nothing in this section shall be construed to limit the authority of the Commissioner of Food and Drugs to apply sections 506 and 515B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356, 360e–3) to non-addictive medical products to treat pain or addiction.

(c) Conforming amendment.—Section 1862(o)(3) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended by inserting “,” after the end of such section.

(d) Clarification relating to credible allegations of fraud.—Section 1862(o)(3) of the Social Security Act (42 U.S.C. 1395w–10(c)(5)(C)) is amended by adding at the end the following new paragraph:

“(4) CREDIBLE ALLEGATION OF FRAUD.—In carrying out this subsection, section 1860D–12(b)(7) (including as applied pursuant to section 1857(f)(3)(D)), and section 1903(i)(2)(C), a fraud hotline tip (as defined by the Secretary) without further evidence shall not be treated as sufficient evidence for a credible allegation of fraud.

(e) Effective date.—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2020.
and evaluations of efficacy will be applied across and within review divisions, taking into consideration the etiology of the underlying disease, and the manner in which sponsors may use surrogate and intermediate endpoints, and real world evidence; (4) the manner in which the Food and Drug Administration will assess evidence to support the opioid-sparing nature of the labeling of non-addictive medical products intended to treat acute or chronic pain, including: (a) alternative data collection methodologies, including the use of novel clinical trial designs (consistent with section 3021 of the 21st Century Cures Act (Public Law 114–255)) and real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g)), including patient registries and patient reported outcomes, as appropriate, to support product labeling; (b) ethical considerations of exposing subjects to controlled substances in clinical trials to develop opioid-sparing data and considerations on data collection methods that reduce harm, which may include the reduction of opioid use as a clinical benefit; (C) including primary, secondary, and surrogate endpoints, to evaluate the reduction of opioid use; (D) best practices for communication between the agency and the public on the development of data collection methods, including the initiation of data collection; and (E) the appropriate format in which to submit such comments to the Secretary; and (4) the circumstances under which the Food and Drug Administration considers misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) in making the determination that a drug is unsafe under paragraph (1) or (2) of subsection (d) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and in finding that a drug is unsafe under paragraph (1) or (2) of subsection (e) of such section.

SEC. 3002. EVIDENCE-BASED OPIOID ANALGESIC PRESCRIBING GUIDELINES AND REPORT.

(a) GUIDELINES.—The Commissioner of Food and Drugs shall develop evidence-based opioid analgesic prescribing guidelines for the indication-specific treatment of acute pain only for the relevant therapeutic areas where they do not exist.

(b) PUBLIC INPUT.—In developing the guidelines under subsection (a), the Commissioner of Food and Drugs shall:

(1) consult with stakeholders, which may include conducting a public meeting of medical professional societies (including any State-based societies), health care providers, State and Federal public health agencies, including pain medicine specialty societies, patient groups, pharmacists, academic or medical research entities, and other entities with experience in health care, as appropriate;

(2) collaborate with the Director of the Centers for Disease Control and Prevention, as appropriate, and Federal and State and other agencies with relevant expertise as appropriate; and

(3) provide for a notice and comment period consistent with section 701(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(b)) for the submission of comments by the public.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, or, if earlier, at the time the guidelines under subsection (a) are finalized, the Commissioner of Food and Drugs shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and post on the public website of the Food and Drug Administration, a report on how the guidelines will utilize the guidelines under subsection (a) to protect the public health and a description of the public health need with respect to each such indication-specific treatment guideline.

(d) UPDATES.—The Commissioner of Food and Drugs shall periodically:

(1) update the guidelines under subsection (a), informed by public input described in subsection (b); and

(2) submit to the committees specified in subsection (c) a post on the public website of the Food and Drug Administration an updated report under such subsection.

(e) STATEMENT OF GUIDELINES AND RECOMMENDATIONS.—The Commissioner of Food and Drugs shall ensure that opioid analgesic prescribing guidelines and other recommendations under this section are accompanied by a clear statement that such guidelines or recommendations, as applicable—

(1) are intended to help inform clinical decisionmaking by prescribers and patients; and

(2) are not intended to be used for the purposes of restraining, delaying, or denying coverage for, or access to, a prescription issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice.

CHAPTER 2—STOP COUNTERFEIT DRUGS BY REGULATING AND ENHANCING ENFORCEMENT NOW

SEC. 3011. SHORT TITLE.

This chapter may be cited as the “Stop Counterfeit Drugs by Regulating and Enhancing Enforcement Now Act” or the “SCREEN Act”.

SEC. 3012. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF CONTROLLED SUBSTANCES.

(a) PROHIBITED ACTS.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

”(ee) The failure to comply with any order issued under section 569D.”

(b) NOTIFICATION, NONDISTRIBUTION, AND RECALL OF CONTROLLED SUBSTANCES.—Subsection (a) of section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

”SEC. 569D. NOTIFICATION, NONDISTRIBUTION, AND RECALL OF CONTROLLED SUBSTANCES.

(1) ORDER TO CEASE DISTRIBUTION AND RECALL.—

(1) IN GENERAL.—If the Secretary determines there is a reasonable probability that a controlled substance would cause serious adverse health consequences or death, the Secretary may, after providing the appropriate person with an opportunity to consult with the agency, issue an order requiring the manufacturers, importers, distributors, or pharmacists, who distribute such controlled substance to immediately cease distribution of such substance, as applicable, and provide notification as required by such order.

(2) NOTICE TO PERSONS AFFECTED.—If the Secretary determines necessary, the Secretary may require the person subject to an order pursuant to paragraph (1) or an amended order pursuant to paragraph (B) or (C) of paragraph (3) to provide either a notice of a recall order or, an order to cease distribution of, such controlled substance, as applicable, under this section to appropriate persons, including persons who manufacture, distribute, import, or offer for sale such product that is the subject of an order and to those persons whom the Secretary determines, after considering the purposes of section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(a)) is amended by inserting “—or is a controlled substance subject to refusal— an order under section 569D” before “;” or (4)

(3) EFFECTIVE DATE.—Sections 301(eee) and 569D of the Federal Food, Drug, and Cosmetic Act, as added by subsections (a) and (b), shall be effective beginning on the date of enactment of this Act.
SEC. 3013. SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.
Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331), as amended by section 302(b)(3)(D), is further amended by adding at the end the following:

"(c) SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.—If the Secretary determines that a person subject to debarment as a result of engaging in a pattern of importing or offering for import controlled substances or drugs imported under the Export Act (21 U.S.C. 951 et seq.), as amended, is further amended by adding at the end the following:

"(A) is not—

(i) accompanied by an electronic import entry for such article submitted using an authorized electronic data interchange system as a product that is regulated under this Act; or

(ii) designated in such a system as an ingredient that may be regulated by the Secretary (which may include regulation as a drug, a device, a dietary supplement, or other product that is regulated under this Act); and

(iii) in subparagraph (B), by striking "or" and inserting a semicolon;

(iv) in subparagraph (C), by striking the period and inserting "or"; and

(v) by adding at the end the following:

"(D) a person from importing or offering for import into the United States a drug.";

(B) in paragraph (3)—

(i) in the heading, by inserting "OR DRUG" after "food";

(ii) in subparagraph (A), by striking "; or" and inserting a semicolon;

(iii) in subparagraph (B), by striking the period and inserting a semicolon;

(iv) in subparagraph (C), by striking the period and inserting "or"; and

(v) by adding at the end the following:

"(C) the person has been convicted of a felony for conduct relating to the importation into the United States of any drug or controlled substance (as defined in section 102 of the Controlled Substances Act); or

(D) the person has been offered for import a pattern of importing or offering for import—

"(i) substances that are prohibited from importation under section 101(m) of the Tariff Act of 1930 (19 U.S.C. 1401(m)); or

(ii) adulterated or misbranded drugs that are

"(1) not designated in an authorized electronic data interchange system as a product that is regulated by the Secretary; or

"(II) knowingly or intentionally falsely designated in an authorized electronic data interchange system as a product that is regulated by the Secretary; and

"(C) by adding at the end the following:

"(B) in subparagraph (A), by removing the comma and period in paragraph (3)(D), the term ‘pattern of importing or offering for import’ means importing or offering for import a drug described in clause (I) or (II) of paragraph (3)(D) in an amount, frequency, or dosage that is inconsistent with personal or household use by the importation.

SEC. 3021. SHORT TITLE.
This Act may be cited as the "Stop Illicit Drug Importation Act of 2018".

SEC. 3022. RESTRICTING ENTRANCE OF ILLEGAL DRUGS.
(a) FOOD AND DRUG ADMINISTRATION AND U.S. CUSTOMS AND BORDER PROTECTION CO-OPERATION.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the "Secretary") may provide that import facilities of the Secretary include—

(A) food and drug inspection facilities and inspection services of the Food and Drug Administration; and

(B) customs and border inspection facilities and inspection services of the U.S. Customs and Border Protection.

(2) DISCRETION.—The Secretary may by order designate all drugs being offered for import from such person as adulterated or misbranded, unless such person can prove otherwise.

(b) FDA IMPORT FACILITIES AND Inspection CAPACITY.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall, in collaboration with the Secretary of Homeland Security and the Postmaster General of the United States Postal Service, provide that import facilities in which the Food and Drug Administration operates or carries out activities related to drug imports within the international mail facilities include—

(A) facilities upgrades and capacity in order to increase and improve inspection and detection capabilities, which may include as the Secretary determines appropriate—

(i) improvements to facilities, such as upgrades or renovations, and support for the maintenance of such improved facilities and sites to improve coordination between Federal agencies;

(ii) improvements in equipment and information systems to identify unapproved, counterfeit, or other unlawful controlled substances for destruction;

(iii) the construction of, or upgrades to, laboratory capacity for purposes of detection and testing of imported goods;

(iv) upgrades to the security of import facilities;

(v) innovative technology and equipment to facilitate improved and near-real-time information sharing between the Food and Drug Administration, the Department of Homeland Security, and the U.S. Postal Service; and

(B) innovative technology, including controlled substance detection and testing equipment and other applicable technology, in order to collaborate with the U.S. Customs and Border Protection to share near-real-time information, including information about test results, as appropriate.

(2) TECHNOLOGY.—Any technology used in accordance with paragraph (2)(B) shall be treated by the Secretary as a drug if the Secretary determines appropriate.

(c) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security and the Postmaster General of the United States Postal Service, shall report to the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the implementation of this section, including a summary of progress made toward near-real-time information sharing and the interoperability of such technologies.

CHAPTER 3—STOP ILICIT DRUG IMPORTATION.
“(1) an active ingredient in a drug—
“(2) that is approved under section 505 or licensed under section 351 of the Public Health Service Act; or
“(b) each covered drug—
“(aa) an investigational use exemption has been authorized under section 505(i) of this Act or section 351(a) of the Public Health Service Act; or
“(bb) a substantial clinical investigation has been instituted, and such investigation has been made public; or
“(ii) the drug has a chemical structure that is substantially similar to the chemical structure of an active ingredient in a drug or biological product described in subparagraph (A) of clause (i); or
“(C) a description of the effectiveness of such recommendations at preventing the diversion of legally prescribed controlled substances; and
“(D) recommendations, as appropriate, on—
“(i) whether site-of-use, in-home controlled substance disposal products and packaging technologies require Federal oversight and, if so, which agency or agencies should be responsible for such oversight and, as applicable, review of such products or technologies; and
“(ii) whether there are applicable standards that should be considered to ensure the effectiveness of such recommendations; and

CHAPTER 4—SECURING OPIOIDS AND UNUsed Narcotics with Deliberate Disposal and Packaging

SEC. 3031. SHORT TITLE.

This chapter may be cited as the “Securing Opioids and Unused Narcotics with Deliberate Disposal and Packaging Act of 2018” or the “FDNPA”.

SEC. 3032. SAFETY-ENHANCING PACKAGING AND DISPOSAL FEATURES.

(a) DELIBERATE DISPOSAL AND PACKAGING ELEMENTS—Section 505–1(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(e)) is amended by striking “all that follows through “in the labeling of the drug”.

(b) EFFECT.—This subsection shall not be construed to bear upon any determination of whether an article is a drug within the meaning of section 201(e) for purposes of the purposes described in paragraph (1).’’.

CHAPTER 5—POSTAPPROVAL STUDY REQUIREMENTS

SEC. 3041. CLARIFYING FDA POSTMARKET AUTHORITY.

(a) DEFINITION OF ADVERSE DRUG EXPERIENCE.—Section 505–1(b)(1)(E) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(b)(1)(E)) is amended by striking “of the drug” and inserting “of the drug and the

(b) SAFETY LABELING CHANGES.—Section 506(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(c)(4)) is amended—

(1) in subparagraph (A) by—
“(A) striking “SAFETY INFORMATION” and inserting “SAFETY OR NEW EFFECTIVENESS INFORMATION”;
“(B) by striking “If the Secretary becomes” and all that follows through “the labeling of the drug”;
“(C) by inserting at the end; and

(2) in clause (i) of subparagraph (B), by inserting before the semicolon “, or new effec-

(3) in subparagraph (C) by striking “safety information” and inserting “safety or new

(c) CLARIFYING FDA POSTMARKET AUTHORIZATION.-Clause (ii) of section 303(g)(2)(G)

Subtitle B—Controlled Substance Provisions

CHAPTER 1—MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS

SEC. 3201. ALLOWING FOR MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS.

(a) CONFORMING APPLICABLE NUMBER.—Subsection (b) of section 8.522(c)(2)(B) of the Controlled Substances Act (21 U.S.C. 852(g)(2)(B)(iii)) is amended to read as follows:

“(ii) The applicable number is—
“(aa) 100 if, not sooner than 1 year after the date on which the practitioner submitted the initial notification, the practitioner submits a second notification to the Secretary of the need and intent of the practitioner to treat up to 100 patients; and
“(bb) 100 if the practitioner holds additional credentials as defined in section 8.2 of title 42, Code of Federal Regulations (or successor regulations); and
“(cc) 100 if the practitioner provides medication-assisted treatment (MAT) using covered medications (as such terms are defined in section 8.2 of title 42, Code of Federal Regulations (or successor regulations)) in a qualified practice setting (as described in section 8.615 of title 42, Code of Federal Regulations (or successor regulations)); or
“(dd) 275 if the practitioner meets the requirements specified under section 8.610 through 8.655 of title 42, Code of Federal Regulations (or successor regulations); or
of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)) is amended—

(1) in subclause (I), by striking “or” at the end; and

(2) in amending subclause (II) to read as follows:

“(II) a qualifying other practitioner, as defined in clause (iv), who is a nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife;”.

(d) Definition of Qualifying Other Practitioner.—Section 303(g)(2)(G)(iv) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(iv)) is amended by striking “nurse practitioner or physician assistant” and inserting “nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, certified nurse midwife, or physician assistant”.

(e) Clarification.—Not more than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Drug Enforcement Administration, shall submit to Congress a report that assesses the care provided by qualified practitioners (as defined in section 303(g)(2)(G)(iii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(iii))) who are treating, in the case of physicians, more than 100 patients, and in the case of qualified practitioners who are not physicians, more than 30 patients. Such report shall include recommendations on future applicable patient number levels and limits. In preparing such report, the Secretary shall study, with respect to opioid use disorder treatment—

(1) the average frequency with which qualifying practitioners see their patients;

(2) the average frequency with which patients receive counseling, including the rates by which such counseling is provided by a qualifying practitioner directly, or by referral;

(3) the frequency of toxicity testing, including the average frequency with which random toxicity testing is administered;

(4) the average monthly patient caseload for each type of qualifying practitioner;

(5) the treatment retention rates for patients;

(6) overdose and mortality rates; and

(7) any available information regarding the diversion of drugs by patients receiving such treatment from such a qualifying practitioner.

SEC. 3202. Medication-Assisted Treatment for Recovery from Substance Use Disorder.

(a) Waivers for Maintenance Treatment or Dispensing.—Section 309 (21 U.S.C. 823(g)(2)(G)(iv)) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(iv)) is amended by adding at the end the following:

“(V) An individual who graduated in good standing from an accredited school of allopathic medicine or osteopathic medicine in the United States during the 5-year period immediately preceding the date on which the physician submits to the Secretary a written notification under subparagraph (B) and successfully completed a comprehensive allopathic or osteopathic medicine curriculum or accredited medical residency program—

“(a) included not less than 8 hours of training on treating and managing opioid-dependent patients; and

“(b) included, at a minimum, (A) that in items (aa) through (gg) of subsection (IV); and

“(BB) training with respect to any other best practice the Secretary determines should be included in the curriculum, which may include training on pain management, including assessment and appropriate use of opioid and non-opioid alternatives.

(b) Technical Amendment.—Section 3204 of the Controlled Substances Act (21 U.S.C. 823(g)(2)) authorizes the Secretary of Health and Human Services to consider ways to ensure that an adequate supply of qualified practitioners be available. In general, if the Secretary determines that such reduction will—

“(1) increase the number of days described in subsection (a)(5) if the Attorney General determines that such reduction will increase the number of days described in subsection (a)(5).

“(2) MODIFICATIONS AFTER SUBMISSION OF REPORT.—After the date on which the report described in section 3204(b) of the SUPPORT for Patients and Communities Act is submitted, the Attorney General, in coordination with the Secretary, shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection or implantation.

(2) Minimum Number of Days.—Any modification under this subsection shall be for a period of not less than 7 days.”.

(c) Technical and Conforming Amendments.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”.

CHAPTER 2—Empowering Pharmacists in the Fight Against Opioid Abuse

SEC. 3211. SHORT TITLE.

(a) In General.—This Act may be cited as the “Empowering Pharmacists in the Fight Against Opioid Abuse Act”.

SEC. 3212. Programs and Materials for Training on Certain Circumstances Under Which a Pharmacist May Decline to Fill a Prescription.

(a) In General.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Commissioner of Food and Drugs, Director of the Centers for Disease Control and Prevention, and the Assistant Secretary for Mental Health and Substance Use, shall develop and disseminate, as appropriate, materials for pharmacists, health care providers, and patients on—

(1) circumstances under which a pharmacist may, consistent with section 309 of the Controlled Substances Act (21 U.S.C. 829) and regulations of the Attorney General, refuse to fill a prescription;

(2) Conflicts of Interest.

(b) Technical and Conforming Amendments.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”.

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controlled substance because the pharmacist suspects the prescription is fraudulent, forged, or of doubtful, questionable, or suspicious origin; and
(2) other Federal requirements pertaining to declining to fill a prescription under such circumstances, including the partial fill of prescriptions for certain controlled substances.

(b) MATERIALS INCLUDED.—In developing materials under subsection (a), the Secretary of Health and Human Services shall include information developed under prescription and actions to take after declining to fill a prescription under subsection (a), the Secretary of Health and Human Services shall seek input from relevant national, State, and local associations, boards of pharmacy, medical societies, licensing boards, health care practitioners, and patients, including individuals with chronic pain.

CHAPTER 3—SAFE DISPOSAL OF UNUSED MEDICATION

SEC. 3221. SHORT TITLE.
This chapter may be cited as the “Safe Disposal of Unused Medication Act.”

SEC. 3222. DISPOSAL OF CONTROLLED SUBSTANCES OF A HOSPICE PATIENT BY EMPLOYEES OF A QUALIFIED HOSPICE PROGRAM.

(a) IN GENERAL.—Section (g) of section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

“(3) In the case of a person receiving hospice care, an employee of a qualified hospice program, acting within the scope of employment, may handle, without being registered, a controlled substance that was lawfully dispensed to the person receiving hospice care, for the purpose of disposition of the controlled substance so long as such disposal occurs onsite in accordance with all applicable Federal, State, Tribal, and local law and—

“(i) the disposal occurs after the death of the person receiving hospice care;

“(ii) the controlled substance is expired; or

“(iii) the disposal occurs before the patient or patient’s representative and family;

“(aa) documents in the patient’s clinical record the type of controlled substance, dosage, route of administration, and quantity so disposed; and

“(bb) records the time, date, and manner in which that disposal occurred.”.

(b) GUIDANCE.—The Attorney General may issue guidance for hospice programs (as defined in paragraph (5) of section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)), as added by subsection (a)) to assist the programs in satisfying the requirements under such paragraph.

(c) RULE OF CONSTRUCTION RELATING TO STATE AND LOCAL LAW.—Nothing in this section or the amendments made by this section shall be construed to prevent a State or local government from imposing additional controls or restrictions relating to the regulation of the disposal of controlled substances in hospice care or hospice programs.

SEC. 3223. GAO STUDY AND REPORT ON HOSPICE SAFE DRUG MANAGEMENT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the requirements applicable to, and challenges of, hospice programs with respect to the management and disposal of controlled substances in the home of an individual.

(2) CONTENTS.—In conducting the study under paragraph (1), the Comptroller General shall include—

(A) an overview of any challenges encountered by selected hospice programs regarding the disposal of controlled substances, such as opioids, in a home setting, including any key changes in policies, procedures, or best practices for the disposal of controlled substances over time; and

(B) a description of Federal requirements, including requirements under the Medicare program, for hospice programs regarding the disposal of controlled substances in a home setting, and oversight of compliance with those requirements.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study conducted under subsection (a), together with recommendations, if any, for such legislation and administrative action as the Comptroller General determines appropriate.

CHAPTER 4—SPECIAL REGISTRATION FOR TELEMEDICINE CLARIFICATION

SEC. 3221. SHORT TITLE.
This chapter may be cited as the “Special Registration for Telemedicine Clarification Act of 2018.”

SEC. 3222. REGULATIONS RELATING TO A SPECIAL REGISTRATION FOR TELEMEDICINE.
Section 313(h)(2) of the Controlled Substances Act (21 U.S.C. 831(h)(2)) is amended to read as follows:

“(2) REGULATIONS.—Not later than 1 year after the date of enactment of the SUPPORT for Patients and Communities Act, in consultation with the Secretary, the Attorney General shall promulgate final regulations specifying—

“A. the limited circumstances in which a special registration under this subsection may be issued; and

“B. the procedure for obtaining a special registration under this subsection.”.

CHAPTER 5—SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES

SEC. 3241. CONTROLLED SUBSTANCE ANALOGUES.
Section 303 of the Controlled Substances Act (21 U.S.C. 813) is amended—

(1) by striking “A controlled” and inserting “(a) In general.—A controlled” and

(2) by adding at the end the following:

“(b) DETERMINATION.—In determining whether a controlled substance was intended for human consumption under subsection (a), the following factors may be considered, along with any other relevant factors:

“(1) The marketing, advertising, and labeling of the substance.

“(2) The known efficacy or usefulness of the substance for the marketed, advertised, or labeled purpose.

“(3) The difference between the price at which the substance is sold and the price at which the substance is purported to be or advertised as is normally sold.

“(4) The diversion of the substance from legitimate channels and the clandestine importation, manufacture, or distribution of the substance.

“(5) Whether the defendant knew or should have known the substance was intended to be consumed by injection, inhalation, ingestion, or any other immediate means.

“(5) Any controlled substance analogue that is manufactured, formulated, sold, distributed, or marketed with the intent to avoid the provisions of existing drug laws.

“(c) LIMITATION.—For purposes of this section, evidence that a substance was not marketed, advertised, or labeled for human consumption, by itself, shall not be sufficient to establish that the substance was not intended for human consumption.

CHAPTER 6—ACCESS TO INCREASED DRUG DISPOSAL

SEC. 3251. SHORT TITLE.
This chapter may be cited as the “Access to Increased Drug Disposal Act of 2018.”

SEC. 3252. DEFINITIONS.
In this chapter—

(1) the term “Army General” means the Army General, acting through the Assistant Attorney General for the Office of Justice Programs;

(2) the term “authorized collector” means a narcotic treatment program, a hospital or clinic with an on-site pharmacy, a retail pharmacy, or a reverse distributor, that is authorized as a collector under section 1317.46 of the Code of Federal Regulations (or any successor regulations); and

(3) the term “covered grant” means a grant awarded under section 3003; and

(4) the term “eligible collector” means a person who is eligible to be an authorized collector.

SEC. 3253. AUTHORITY TO MAKE GRANTS.
The Attorney General shall award grants to States to enable the States to increase the participation of eligible collectors as authorized collectors.
SEC. 3254. APPLICATION.
A State desiring a covered grant shall submit to the Attorney General an application that, at a minimum—

(1) identifies the single State agency that oversees pharmaceutical care and will be responsible for complying with the requirements of the grant;

(2) in paragraph 1 to increase participation rates of eligible collectors as authorized collectors; and

(3) describes how the State will select eligible collectors to be served under the grant.

SEC. 3255. USE OF GRANT FUNDS.
A State that receives a covered grant, and any subrecipient of the grant, may use the grant funds for costs necessary to the distribution, maintenance, training, purchasing, and disposal of controlled substances associated with the participation of eligible collectors as authorized collectors.

SEC. 3256. ELIGIBILITY FOR GRANT.
The Attorney General shall award a covered grant to 5 States, not less than 3 of which shall be States in the lowest quartile of States based on the participation rate of eligible collectors as authorized collectors, as determined by the Attorney General.

SEC. 3257. DURATION OF GRANTS.
The Attorney General shall determine the period of years for which a covered grant is made to a State.

SEC. 3258. ACCOUNTABILITY AND OVERSIGHT.
A State that receives a covered grant shall submit to the Attorney General a report, at such time and in such manner as the Attorney General may reasonably require, that—

(1) lists the ultimate recipients of the grant amounts;

(2) describes the activities undertaken by the State using the grant amounts; and

(3) contains performance measures relating to the use of the grant, including changes in the participation rate of eligible collectors as authorized collectors.

SEC. 3259. DURATION OF PROGRAM.
The Attorney General may award covered grants for each of the first 5 fiscal years beginning after the date of enactment of this Act.

SEC. 3260. AUTHORIZATION OF APPROPRIATIONS.
There is authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this chapter.

CHAPTER 7—USING DATA TO PREVENT OPIOID DIVERSION
SEC. 3271. SHORT TITLE.
This chapter may be cited as the ‘‘Using Data To Prevent Opioid Diversion Act of 2018’’.

SEC. 3272. PURPOSE.
(a) IN GENERAL.—The purpose of this chapter is to provide drug manufacturers and distributors with access to anonymized information through the Automated Reports and Consolidated Orders System to help drug manufacturers and distributors identify suspicious orders and stop suspicious orders of opioids and reduce diversion rates.

(b) RULE OF CONSTRUCTION.—Nothing in this chapter should be construed to absolve a drug manufacturer, drug distributor, or other Drug Enforcement Administration registrant from the responsibility of the manufacturer, distributor, or other registrant to—

(1) identify, stop, and report suspicious orders; or

(2) maintain effective controls against diversion in accordance with section 305 of the Controlled Substances Act (21 U.S.C. 823) or any successor law or associated regulation.

SEC. 3273. AMENDMENTS.
(a) IN GENERAL.—The Automated Reports of Registrants.—Section 307 of the Controlled Substances Act (21 U.S.C. 827) is amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (1), respectively;

(2) by inserting after subsection (e) the following:

‘‘(f)(1) The Attorney General shall, not less frequently than quarterly, make the following information available to manufacturers and practitioner registrants through the Automated Reports and Consolidated Orders System, or any subsequent automated system developed by the Administration to monitor selected controlled substances:

(A) The total number of distributor registrants that distribute controlled substances to a pharmacy or practitioner registrant, aggregated by the name and address of each pharmacy and practitioner registrant.

(B) The total quantity and type of opioids distributed, listed by Administration Controlled Substances Code Number, to each pharmacy and practitioner registrant described in subparagraph (A).

(2) The information required to be made available under paragraph (1) shall not be made available not later than the 30th day of the first month following the quarter to which the information relates.

(3) The Attorney General shall provide manufacturers and distributors shall be responsible for reviewing the information made available by the Attorney General under this subsection.

(4) In determining whether to initiate or to discontinue proceedings under this title against a registered manufacturer or distributor based on the failure of the registrant to maintain effective controls against diversion or otherwise comply with the requirements of this title or the regulations issued thereunder, the Attorney General may take into account that the information made available under this subsection was available to the registrant.’’;

(3) by adding at the end the following:

‘‘(3)(A) All registered manufacturers and distributor registrants in the State shall provide the Attorney General under this subsection, not later than the 30th day of each month, a report that includes detailed amounts, outliers, and trends in the distribution of the scheduled substances:

(B) The report described in paragraph (A) shall be provided to the Attorney General, upon request, in a summary format, pursuant to section 307 and which includes detailed amounts, outliers, and trends in the distribution of the scheduled substances:

(C) by inserting after paragraph (16) the following:

‘‘(j) All of the reports required under this subsection shall be provided in an electronic format.’’;

(b) COOPERATIVE ARRANGEMENTS.—Section 503 of the Controlled Substances Act (21 U.S.C. 873), is amended by striking subsections (c) and (d) and inserting the following:

‘‘(c)(1) The Attorney General shall, once every 6 months, prepare and make available to regulatory, licensing, attorneys general, and law enforcement agencies of States a standardized report containing descriptive and analytic information on the actual distribution patterns gathered through the Automated Reports and Consolidated Orders System, or any subsequent automated system developed by the Administration to monitor selected controlled substances:

(2) The Attorney General may provide the information described in paragraph (1) to the Attorney General of another State, and to the Attorney General of a State served under title 18, United States Code, not exceed $50,000.

SEC. 3274. REPORT.
Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report that provides information about how the Attorney General is using data in the Automation of Reports and Consolidated Orders System to identify and stop suspicious activity, including whether the Attorney General is looking at aggregate orders from individual pharmacies to multiple distributors that in total are suspicious, even if no individual order rises to the level of a suspicious order to a given distributor.

CHAPTER 8—OPIOID QUOTA REFORM
SEC. 3281. SHORT TITLE.
This chapter may be cited as the ‘‘Opioid Quota Reform Act’’.

SEC. 3282. STRENGTHENING CONSIDERATIONS FOR DEA OPIOID QUOTAS.
(a) IN GENERAL.—Section 306 of the Controlled Substances Act (21 U.S.C. 826) is amended—

(1) in subsection (a)—

(A) by inserting ‘‘(1)’’ after ‘‘(a)’’;

(B) in the second sentence, by striking ‘‘production’’ and inserting ‘‘Except as provided in paragraph (2), production’’; and

(C) by adding at the end the following:

‘‘(2) The Attorney General may, if the Attorney General determines it will assist in avoiding the overproduction, shortages, or diversion of a controlled substance, establish an aggregate or individual production quota under this subsection, or a procurement quota established by the Attorney General by regulation, in terms of pharmaceutical dosage forms prepared from or containing the controlled substance.’’.

(b) IN GENERAL.—Section 306(b) of the Controlled Substances Act (21 U.S.C. 826) is amended—

(1) in subsection (a)—

(A) by striking ‘‘production’’ and inserting ‘‘manufacturing’’;

(B) in paragraph (1), by striking ‘‘October’’ and inserting ‘‘December’’; and

(C) by adding at the end the following:

‘‘(2) In paragraph (1), by striking ‘‘and’’ and inserting ‘‘or’’; and

(3) in subsection (b), by striking ‘‘and’’ and inserting ‘‘or’’; and

(4) by striking ‘‘(17) in the case of a registered manufacturer or distributor of opioids, to fail to review the most recent information, directly related to the customers of the manufacturer or distributor, made available by the Attorney General in accordance with section 307(f),’’; and

(5) in paragraph (17), by striking subparagraph (B) and inserting the following:

‘‘(B)(i) Except as provided in clause (ii), in the case of a violation described in clause (i) committed by a registered manufacturer or distributor of opioids, related to the reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the fine penalty shall not exceed $10,000.’’;

(ii) In the case of a violation described in clause (i) committed by a registered manufacturer or distributor of opioids, related to the reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the fine penalty shall not exceed $10,000.’’; and

(6) by striking ‘‘(j)’’ and inserting ‘‘(i)’’; and

(b) by adding at the end the following:

‘‘(ii) In the case of a violation described in paragraph (1), (10), or (17) of subsection (a), the civil penalty shall not exceed $10,000.’’; and

(7) in subsection (a)(10), by striking subparagraph (B) and inserting the following:

‘‘(B) in paragraph (1), by striking ‘‘or’’ and inserting ‘‘and’’; and

(8) in subsection (a)(17), by striking subparagraph (B) and inserting the following:

‘‘(B) in paragraph (1), by striking ‘‘or’’ and inserting ‘‘and’’; and

(9) in subsection (a)(17), by striking subparagraph (B) and inserting the following:

‘‘(B) in paragraph (1), by striking ‘‘or’’ and inserting ‘‘and’’; and

(10) by striking ‘‘(j)’’ and inserting ‘‘(i)’’; and

(11) in paragraph (1), by striking ‘‘and’’ and inserting ‘‘or’’; and

(12) in subsection (b), by striking ‘‘and’’ and inserting ‘‘or’’; and

(13) by adding at the end the following:

‘‘(2) In paragraph (1), by striking ‘‘and’’ and inserting ‘‘or’’; and

SEC. 3283. QUOTA REFORM.
SEC. 3284. QUOTA REFORM.
SEC. 3285. QUOTA REFORM.
SEC. 3286. QUOTA REFORM.
CHAPTER 9—PREVENTING DRUG DIVERSION

SEC. 3291. SHORT TITLE.

This chapter may be cited as the ‘‘Preventing Drug Diversion Act of 2018’’.

SEC. 3292. IMPROVEMENTS TO PREVENT DRUG DIVERSION.

(a) DEFINITION.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended as follows:

(7) ‘‘The term ‘suspicious order’ may include, but is not limited to—

(A) an order of a controlled substance of unusual size;

(B) an order of a controlled substance deviating substantially from a normal pattern; and

(C) orders of controlled substances of unusual frequency.’’;

(b) SUSPICIOUS ORDERS.—Part C of the Controlled Substances Act (21 U.S.C. 831 et seq.) is amended by adding at the end the following:

SEC. 312. SUSPICIOUS ORDERS.

(1) REPORTING.—Each registrant shall—

(1) design and operate a system to identify suspicious orders for the registrant;

(2) ensure that the system designed and operated under paragraph (1) by the registrant complies with applicable Federal and State privacy laws; and

(3) upon discovering a suspicious order or series of orders, notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

(b) SUSPICIOUS ORDER DATABASE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Attorney General shall establish a centralized database for collecting reports of suspicious orders.

(2) SATISFACTION OF REPORTING REQUIREMENTS.—If a registrant reports a suspicious order to the centralized database established under paragraph (1), the registrant shall be considered to have complied with the requirement under subsection (a)(3) to notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

(c) SHARING INFORMATION WITH THE STATES.

(1) IN GENERAL.—The Attorney General shall provide information in accordance with paragraph (1) with the States, including information in the database established under subsection (b)(1), to the point of contact for purposes of administrative, civil, and criminal oversight relating to and diversion of controlled substances for the State, as designated by the Governor or chief executive officer of the State.

(2) TIMELINESS.—The Attorney General shall provide information in accordance with paragraph (1) within a reasonable period of time after obtaining the information.

(3) COORDINATION.—In establishing the process for the provision of information under this subsection, the Attorney General shall coordinate with States to ensure that the Attorney General provides accurate information, as permitted under State law, possessed by the States relating to prescriptions for controlled substances that will assist in enforcing Federal law.

(d) REPORTS TO CONGRESS.—

(1) DEFINITION.—In this subsection, the term ‘‘suspicious order’’ has the meaning given to the term by section 102 of the Controlled Substances Act, as amended by this chapter.
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medical assistance provided to individuals
described in subclause (VIII) of section
1902(a)(10)(A)(i) by a managed care entity, or
other specified entity (as defined in subparagraph (D)(iii)), that are treated as remittances because the State—
‘‘(i) has satisfied the requirement of section 438.8 of title 42, Code of Federal Regulations (or any successor regulation), by electing—
‘‘(I) in the case of a State described in subparagraph (C), to apply a minimum medical
loss ratio (as defined in subparagraph (D)(ii))
that is at least 85 percent but not greater
than the minimum medical loss ratio (as so
defined) that such State applied as of May 31,
2018; or
‘‘(II) in the case of a State not described in
subparagraph (C), to apply a minimum medical loss ratio that is equal to 85 percent; and
‘‘(ii) recovered all or a portion of the expenditures as a result of the entity’s failure
to meet such ratio.
‘‘(C) For purposes of subparagraph (B), a
State described in this subparagraph is a
State that as of May 31, 2018, applied a minimum medical loss ratio (as calculated under
subsection (d) of section 438.8 of title 42, Code
of Federal Regulations (as in effect on June
1, 2018)) for payment for services provided by
entities described in such subparagraph
under the State plan under this title (or a
waiver of the plan) that is equal to or greater than 85 percent.
‘‘(D) For purposes of this paragraph:
‘‘(i) The term ‘managed care entity’ means
a medicaid managed care organization described in section 1932(a)(1)(B)(i).
‘‘(ii) The term ‘minimum medical loss
ratio’ means, with respect to a State, a minimum medical loss ratio (as calculated under
subsection (d) of section 438.8 of title 42, Code
of Federal Regulations (as in effect on June
1, 2018)) for payment for services provided by
entities described in subparagraph (B) under
the State plan under this title (or a waiver of
the plan).
‘‘(iii) The term ‘other specified entity’
means—
‘‘(I) a prepaid inpatient health plan, as defined in section 438.2 of title 42, Code of Federal Regulations (or any successor regulation); and
‘‘(II) a prepaid ambulatory health plan, as
defined in such section (or any successor regulation).’’.
SEC. 4002. REQUIRING REPORTING BY GROUP
HEALTH PLANS OF PRESCRIPTION
DRUG
COVERAGE
INFORMATION
FOR PURPOSES OF IDENTIFYING
PRIMARY
PAYER
SITUATIONS
UNDER THE MEDICARE PROGRAM.

Clause (i) of section 1862(b)(7)(A) of the Social Security Act (42 U.S.C. 1395y(b)(7)(A)) is
amended to read as follows:
‘‘(i) secure from the plan sponsor and plan
participants such information as the Secretary shall specify for the purpose of identifying situations where the group health plan
is or has been—
‘‘(I) a primary plan to the program under
this title; or
‘‘(II) for calendar quarters beginning on or
after January 1, 2020, a primary payer with
respect to benefits relating to prescription
drug coverage under part D; and’’.
SEC. 4003. ADDITIONAL RELIGIOUS EXEMPTION
FROM HEALTH COVERAGE RESPONSIBILITY REQUIREMENT.
(a) IN GENERAL.—Section 5000A(d)(2)(A) of

the Internal Revenue Code of 1986 is amended
to read as follows:
‘‘(A) RELIGIOUS CONSCIENCE EXEMPTIONS.—
‘‘(i) IN GENERAL.—Such term shall not include any individual for any month if such
individual has in effect an exemption under
section 1311(d)(4)(H) of the Patient Protection and Affordable Care Act which certifies
that—

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‘‘(I) such individual is a member of a recognized religious sect or division thereof which
is described in section 1402(g)(1), and is adherent of established tenets or teachings of
such sect or division as described in such section; or
‘‘(II) such individual is a member of a religious sect or division thereof which is not
described in section 1402(g)(1), who relies
solely on a religious method of healing, and
for whom the acceptance of medical health
services would be inconsistent with the religious beliefs of the individual.
‘‘(ii) SPECIAL RULES.—
‘‘(I) MEDICAL HEALTH SERVICES DEFINED.—
For purposes of this subparagraph, the term
‘medical health services’ does not include
routine dental, vision and hearing services,
midwifery services, vaccinations, necessary
medical services provided to children, services required by law or by a third party, and
such other services as the Secretary of
Health and Human Services may provide in
implementing section 1311(d)(4)(H) of the Patient Protection and Affordable Care Act.
‘‘(II) ATTESTATION REQUIRED.—Clause (i)(II)
shall apply to an individual for months in a
taxable year only if the information provided
by the individual under section 1411(b)(5)(A)
of such Act includes an attestation that the
individual has not received medical health
services during the preceding taxable year.’’.
(b) EFFECTIVE DATE.—The amendment
made by subsection (a) shall apply to taxable
years beginning after December 31, 2018.
(c) CONSTRUCTION.—Nothing in the amendment made by subsection (a) shall preempt
any State law requiring the provision of
medical treatment for children, especially
those who are seriously ill.
SEC. 4004. MODERNIZING THE REPORTING OF BIOLOGICAL AND BIOSIMILAR PRODUCTS.

Subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173) is
amended—
(1) in section 1111, as amended by section
3(1) of the Patient Right to Know Drug
Prices Act—
(A) in the paragraph (3) inserted by such
section 3(1), by striking ‘‘an application’’ and
inserting ‘‘a biosimilar biological product
application’’;
(B) in the paragraph (4) inserted by such
section 3(1), by inserting ‘‘application’’ before ‘‘under section 351(k) of the Public
Health Service Act’’;
(C) in the paragraph (5) inserted by such
section 3(1), by striking ‘‘for licensure of a
biological product under section 351(k) of the
Public Health Service Act’’ and inserting
‘‘under section 351(k) of the Public Health
Service Act for licensure of a biological
product as biosimilar to, or interchangeable
with, a reference product’’;
(D) in paragraph (7), as redesignated and
amended by such section 3(1), by striking ‘‘or
under section 351(a) of the Public Health
Service Act’’ and inserting ‘‘or the owner, or
exclusive licensee, of a patent included in a
list provided under section 351(l)(3) of the
Public Health Service Act’’; and
(E) in the paragraph (12) added by such section 3(1), by striking ‘‘means a brand name
drug for which a license is in effect under
section 351(a)’’ and inserting ‘‘has the meaning given such term in section 351(i)’’; and
(2) in section 1112, as amended by section
3(2) of the Patient Right to Know Drug
Prices Act—
(A) in subsection (a)—
(i) in paragraph (1), by striking ‘‘for which
a statement under section 351(l)(3)(B)(ii)(I) of
the Public Health Service Act has been provided’’;
(ii) in paragraph (2)—

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(I) in subparagraph (C)(i), by striking
‘‘brand name’’ and inserting ‘‘listed’’; and
(II) by amending clause (ii) of subparagraph (C) to read as follows:
‘‘(ii) any of the time periods referred to in
section 351(k)(6) of the Public Health Service
Act as such period applies to such biosimilar
biological product application or to any
other biosimilar biological product application based on the same reference product.’’;
(B) in subsection (b)—
(i) in the subsection heading, by inserting
‘‘OR BIOSIMILAR BIOLOGICAL PRODUCT APPLICANT’’ after ‘‘APPLICANT’’;
(ii) in paragraph (1)(B), by striking the
first sentence and inserting the following:
‘‘A biosimilar biological product applicant
that has submitted a biosimilar biological
product application that references a reference product and another biosimilar biological product applicant that has submitted
a biosimilar biological product application
that references the same reference product
shall each file the agreement in accordance
with subsection (c).’’; and
(iii) in paragraph (2)—
(I) by striking ‘‘2 generic drug applicants’’
and inserting ‘‘2 or more generic drug applicants’’; and
(II) by striking ‘‘or an agreement between
2 biosimilar biological product applicants regarding the 1-year period referred to in section 351(k)(6)(A) of the Public Health Service
Act as it applies to the biosimilar biological
product applications with which the agreement is concerned’’ and inserting ‘‘, an
agreement between 2 or more biosimilar biological product applicants regarding a time
period referred to in section 351(k)(6) of the
Public Health Service Act as it applies to the
biosimilar biological product, or an agreement between 2 or more biosimilar biological
product applicants regarding the manufacture, marketing, or sale of a biosimilar biological product’’; and
(C) in subsection (c)(2), by inserting ‘‘were
entered into within 30 days of,’’ after ‘‘condition for,’’.
TITLE V—OTHER MEDICAID PROVISIONS
Subtitle A—Mandatory Reporting With
Respect to Adult Behavioral Health Measures
SEC. 5001. MANDATORY REPORTING WITH RESPECT TO ADULT BEHAVIORAL
HEALTH MEASURES.

Section 1139B of the Social Security Act
(42 U.S.C. 1320b–9b) is amended—
(1) in subsection (b)—
(A) in paragraph (3)—
(i) by striking ‘‘Not later than January 1,
2013’’ and inserting the following:
‘‘(A) VOLUNTARY REPORTING.—Not later
than January 1, 2013’’; and
(ii) by adding at the end the following:
‘‘(B) MANDATORY REPORTING WITH RESPECT
TO BEHAVIORAL HEALTH MEASURES.—Beginning with the State report required under
subsection (d)(1) for 2024, the Secretary shall
require States to use all behavioral health
measures included in the core set of adult
health quality measures and any updates or
changes to such measures to report information, using the standardized format for reporting information and procedures developed under subparagraph (A), regarding the
quality of behavioral health care for Medicaid eligible adults.’’; and
(B) in paragraph (5), by adding at the end
the following new subparagraph:
‘‘(C) BEHAVIORAL HEALTH MEASURES.—Beginning with respect to State reports required under subsection (d)(1) for 2024, the
core set of adult health quality measures
maintained under this paragraph (and any
updates or changes to such measures) shall
include behavioral health measures.’’; and
(2) in subsection (d)(1)(A)—
(A) by striking ‘‘the such plan’’ and inserting ‘‘such plan’’; and

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(B) by striking subsection (a)(5) and inserting subsection (b)(5) and, beginning with the report for 2024, all behavioral health quality measures included in the core set of adult health quality measures maintained under such subsection (b)(5) and any updates or changes to such measures (as required under subsection (b)(3)).

Subtitle B—Medicaid IMD Additional Info

SEC. 5010. MEDICAID LABORATORY STUDY AND REPORT ON INSTITUTIONS FOR MENTAL DISEASES REQUIREMENTS AND PRACTICES UNDER MEDICAID.

(a) In General.—Not later than January 1, 2020, the Medicaid and CHIP Payment and Access Commission shall conduct an exploratory study, using data from a representative sample of States, and submit to Congress a report on at least the following information, with any expansion or modification to individuals enrolled under State plans under the Medicaid program under title XIX of such Act (42 U.S.C. 1396) or waiver of such plans who are patients in institutions for mental diseases and for which payment is through fee-for-service or managed care arrangements under such State plans (or waivers):

(1) A description of such institutions for mental diseases in each such State, including at a minimum—

(A) the number of such institutions in the State;
(B) the facility type of such institutions in the State; and
(C) any coverage limitations under each such State plan (or waiver) on scope, duration, or frequency of such services.

(2) With respect to each such institution for mental diseases in each such State, a description of—

(A) such services provided at such institution;
(B) the process, including any timeframe, used by such institution to clinically assess and reassess such individuals; and
(C) any process used by such institution, including any care continuum of relevant services or facilities provided or used in such process.

(3) A description of—

(A) any Federal waiver that each such State has for such institutions and the Federal statutory authority for such waiver; and
(B) any other Medicaid funding sources used by each such State for funding such institutions, such as supplemental payments.

(4) A summary of State requirements (such as certification, licensure, and accreditation) applied by each such State to such institutions in order for such institutions to receive payment under the State plan (or waiver) and how each such State determines if such requirements have been met.

(5) A summary of State standards (such as quality standards, clinical standards, and facility standards) that such institutions must meet to receive payment under such State plans (or waivers) and how each such State determines if such standards have been met.

(6) Any inappropriate by the Commission, recommendations for policies and actions by Congress and the Centers for Medicare & Medicaid Services, such as on how best to promote quality improvement, to improve care and improve standards and including a recommendation for how the Centers for Medicare & Medicaid Services can improve data collection from such programs to address any gaps in information.

(b) STAKEHOLDER INPUT.—In carrying out subsection (a), the Medicaid and CHIP Payment and Access Commission shall seek input from State Medicaid directors and stakeholders, the Substance Abuse and Mental Health Services Administration, Centers for Medicare & Medicaid Services, State Medicaid officials, State mental health authorities, Medicaid beneficiary advocates, health care providers, and Medicaid managed care organizations.

(c) DEFINITIONS.—In this section:

(1) REPRESENTATIVE SAMPLE.—The term ‘‘representative sample of States’’ means a non-probability sample in which at least two States are selected based on the knowledge and professional judgment of the selector.

(2) STAKEHOLDER.—The term ‘‘State’’ means each of the 50 States, the District of Columbia, any commonwealth or territory of the United States.

(3) INSTITUTION FOR MENTAL DISEASES.—The term ‘‘institution for mental diseases’’ has the meaning given such term in section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) (as redesignated by subsection (b)(1)) is amended to read as follows:

(5) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Regardless of the type of coverage elected at the State under subsection (a), substance use disorder services provided to mental health and substance use disorder program beneficiaries, and Federal jail and prison systems to define best practices (and submit to the Secretary and Congress a report on such best practices) for States—

(1) to ease the health-related transition of an individual who is an inmate of a prison or jail to the public institution in the community, including best practices for ensuring continuity of health insurance coverage or coverage under the State Medicaid plan under the Social Security Act, as applicable, and relevant social services; and

Subtitle C—CHIP Mental Health and Substance Use Disorder Parity

SEC. 5021. SHORT TITLE.

This subtitle may be cited as the ‘‘CHIP Mental Health and Substance Use Disorder Parity Act.’’

SEC. 5022. ENSURING ACCESS TO MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES FOR CHILDREN AND ADOLESCENTS UNDER THE CHILDREN’S HEALTH INSURANCE PROGRAM.

(a) In General.—Section 2103(c)(1) of the Social Security Act (42 U.S.C. 1397cc(c)(1)) is amended by adding at the end the following new subparagraph:

‘‘(E) Mental health and substance use disorder services (as defined in paragraph (5)).’’.

(b) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—

(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) is amended—

(A) by redesigning paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively; and

(B) by inserting after paragraph (4) the following new paragraph:

‘‘(G) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Regardless of the type of coverage elected at the State under subsection (a), substance use disorder services provided to mental health and substance use disorder program beneficiaries, and Federal jail and prison systems to define best practices (and submit to the Secretary and Congress a report on such best practices) for States—

(1) to ease the health-related transition of an individual who is an inmate of a prison or jail to the public institution in the community, including best practices for ensuring continuity of health insurance coverage or coverage under the State Medicaid plan under the Social Security Act, as applicable, and relevant social services; and

(2) CONFORMING AMENDMENTS.—

(1) Section 2103(c)(1) of the Social Security Act (42 U.S.C. 1397cc(c)) (as redesignated by subsection (b)(1)) is amended to read as follows:

(5) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Regardless of the type of coverage elected at the State under subsection (a), substance use disorder services provided to mental health and substance use disorder program beneficiaries, and Federal jail and prison systems to define best practices (and submit to the Secretary and Congress a report on such best practices) for States—

(1) to ease the health-related transition of an individual who is an inmate of a prison or jail to the public institution in the community, including best practices for ensuring continuity of health insurance coverage or coverage under the State Medicaid plan under the Social Security Act, as applicable, and relevant social services; and
(b) to carry out, with respect to such an individual, such health care-related transition not later than 30 days after such individual is released from the public institution.

(2) STATE MEDICAID PROGRAM INNOVATION.—The Secretary of Health and Human Services shall work with States on innovative strategies to expand the capacities of public institutions and otherwise eligible for medical assistance under the Medicaid program under title XIX of the Social Security Act to facilitate, with respect to enrollment for medical assistance under such program, seamlessly to the community.

(b) GUIDANCE ON INNOVATIVE SERVICE DELIVERY: IN-NATURAL-PROFILING OPPORTUNITIES.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Health Resources and Services Administration, through the Administrator of the Centers for Medicare & Medicaid Services, shall issue a Medicaid Director letter, based on best practices developed under subsection (a)(1), regarding opportunities to design demonstration projects under section 1115 of the Social Security Act (42 U.S.C. 1315) to improve care transitions for individuals who are soon-to-be former inmates of a public institution and who are otherwise eligible to receive medical assistance under title XIX of such Act. Such projects, for, with respect to a period (not to exceed 30 days) immediately prior to the day on which such individuals are expected to be released from such institution:

(1) providing assistance and education for enrollment under a State plan under the Medicaid program under title XIX of such Act for such individuals during such period; and

(2) providing health care services for such individuals during such period.

(c) IN GENERAL.—Nothing under title XIX of the Social Security Act or any other provision of law precludes a State from reclassifying or suspending (rather than terminating) eligibility of an individual for medical assistance under title XIX of such Act for such individuals for, with respect to a period (not to exceed 30 days) immediately prior to the day on which such individuals are expected to be released from such institution:

(1) providing assistance and education for enrollment under a State plan under the Medicaid program under title XIX of such Act for such individuals during such period; and

(2) providing health care services for such individuals during such period.

SEC. 5041. SHORT TITLE.

This subtitle may be cited as the “Medicaid Providers Are Required To Note Experiences in Record Systems to Help In-need Patients Act” or the “Medicaid PARTNER Act”.

SEC. 5042. MEDICAID PROVIDERS ARE REQUIRED TO SHARED RECORDS IN RECORd SYSTEMS TO HELP IN-NEED PATIENTS.

(a) REQUIREMENTS UNDER THE MEDICAID PROGRAM RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS AND PRESCRIBING CERTAIN CONTROLLED SUBSTANCES.—

Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1115 the following new section:

SEC. 1944. REQUIREMENTS RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS AND PRESCRIBING CERTAIN CONTROLLED SUBSTANCES.

“(a) IN GENERAL.—Subject to subsection (d), beginning October 1, 2021, a State—

“(1) shall require each covered provider to check, at a minimum, with such time period, manner, and form as specified by the State, the prescription drug history of a covered individual being treated by the covered provider through a prescription drug monitoring program described in subsection (b) before prescribing to such individual a controlled substance; and

“(2) in no event shall a covered provider be required to conduct such a check despite a good faith effort by such provider—

“(A) shall require the provider to document such good faith effort, including the reasons why the provider was not able to conduct the check; and

“(B) may require the provider to submit, upon request, such documentation to the State.

“(b) QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAM DESCRIBED.—A qualified prescription drug monitoring program described in this subsection is, with respect to a State, a prescription drug monitoring program described by any entity that has a contract to manage the pharmaceutical benefit with respect to individuals enrolled in the State plan (or under a waiver of the State plan) and the Federal medical assistance percentage or Federal matching percentage or Federal matching rate that would otherwise

“(d) ENSURING ACCESS.—In order to ensure reasonable access to health care, the Secretary shall waive the application of the requirement under subsection (a), with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D–4(c)(5)(D)(I)(II)).

“(e) REPORTS.—

“(1) STATE REPORTS.—Each State shall include in the annual report required by the Secretary under section 1877(g)(3)(D), beginning with such reports submitted for 2023, information included, at a minimum, the following information for the most recent 12-month period:

“(A) The percentage of covered providers (as determined pursuant to a process established by the State) that meets the condition described in paragraph (1) in an electronic format. The State shall work with States on innovative strategies to expand the capacities of public institutions and otherwise eligible for medical assistance under title XIX of the Social Security Act (42 U.S.C. 1315) to improve care transitions for individuals who are soon-to-be former inmates of a public institution and who are otherwise eligible to receive medical assistance under title XIX of such Act.

“(B) Aggregate trends with respect to prescribed controlled substances, including the dates of such prescriptions, the supplies authorized (including the duration of such supplies), and the number of prescriptions, the supplies authorized (including the number prescribed and filled for the covered individual during at least the most recent 12-month period.

“(C) The name, location, and contact information of the physician or other provider selected by the State, such as a national provider identifier issued by the National Plan and Provider Enumeration System of the Centers for Medicare & Medicaid Services, to check the prescription drug history of a covered individual, in as close to real-time as possible, a reasonable access to health care, the Secretary shall waive the application of the requirement under subsection (a), with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D–4(c)(5)(D)(I)(II)).

“(B) Aggregate trends with respect to prescribed controlled substances, including the dates of such prescriptions, the supplies authorized (including the duration of such supplies), and the number of prescriptions, the supplies authorized (including the dates of such prescriptions, the supplies authorized (including the number prescribed and filled for the covered individual during at least the most recent 12-month period.

“(C) The number and quantity of daily morphine milligram equivalents prescribed for controlled substances;

“(D) The number and quantity of daily morphine milligram equivalents prescribed for controlled substances per covered individual; and

“(E) The types of controlled substances prescribed, including the dates of such prescriptions, the supplies authorized (including the duration of such supplies), and the number of prescriptions, the supplies authorized (including the dates of such prescriptions, the supplies authorized (including the number prescribed and filled for the covered individual during at least the most recent 12-month period.

“(2) The program facilitates the integration of information described in paragraph (1) into the workflow of a covered provider, which may include the electronic system the covered provider uses to prescribe controlled substances.

“A qualified prescription drug monitoring program described in this subsection, with respect to a State, may have in place, in accordance with applicable State and Federal law, a data-sharing agreement with the State Medicaid program that allows the medical director and pharmacy director of such program (and any designee of such a director who reports directly to such director) to access the information described in paragraph (1) in an electronic format. The State Medicaid program under this title may facilitate reasonable and limited access, as determined by the State and ensuring protected health information regarding the use of such data, to such qualified prescription drug monitoring program for the medical director or pharmacy director of any covered provider who has in place, in accordance with applicable State law, a data-sharing agreement with the State, such as a national provider identifier issued by the National Plan and Provider Enumeration System of the Centers for Medicare & Medicaid Services, to check the prescription drug history of a covered individual, in as close to real-time as possible, a reasonable access to health care, the Secretary shall waive the application of the requirement under subsection (a), with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D–4(c)(5)(D)(I)(II)).

“(D) An accounting of any data or privacy breach of a qualified prescription drug monitoring program described in subsection (b), the number of covered individuals impacted by each such breach, and a description of the steps the State has taken to address such breach, including, to the extent required by the State or otherwise determined appropriate by the State, alerting any such impacted individual and law enforcement of the breach.

“(E) REPORT BY CMS.—Not later than October 1, 2023, the Administrator of the Centers for Medicare & Medicaid Services shall publish on the publicly available website of the Centers for Medicare & Medicaid Services a report including the following information:

“(A) Guidance for States on how States can increase the percentage of covered providers who use qualified prescription drug monitoring programs described in subsection (b);

“(B) Best practices for how States and covered providers should use such qualified prescription drug monitoring programs to reduce the occurrence of abuse of controlled substances.

“(C) ENSURING ACCESS.—In order to ensure reasonable access to health care, the Secretary shall waive the application of the requirement under subsection (a), with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D–4(c)(5)(D)(I)(II)).

“(f) INCREASE TO FMAP AND FEDERAL MATCHING RATES FOR CERTAIN EXPENDITURES RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS.

“(1) IN GENERAL.—With respect to a State that meets the condition described in paragraph (2) and any quarter occurring during fiscal year 2019 or fiscal year 2020, the Federal medical assistance percentage or Federal matching percentage or Federal matching rate that would otherwise
apply to such State under section 1903(a) for such quarter, with respect to expenditures by the State for activities under the State plan (or a waiver of such plan) to design, develop, implement, or operate a prescription drug monitoring program (and to make connections to such programs) that satisfies the criteria described in paragraphs (1) and (2) of subsection (a) of this section, if the State paid the Medicaid administrative costs of such State for the most recently ended fiscal year as of the date of enactment of this subsection; and

(ii) Other outpatient and community-based services described in subparagraph (B) furnished to eligible individuals in outpatient and community-based settings that is not less than the level of such services provided for such quarters, with respect to expenditures by the State for activities under the State plan (or a waiver of such plan) to design, develop, implement, or operate a prescription drug monitoring program (and to make connections to such programs) that satisfies the criteria described in paragraphs (1) and (2) of subsection (a) of this section, if the State paid the Medicaid administrative costs of such State for the most recently ended fiscal year as of the date of enactment of this subsection; and

(iv) items and services furnished to eligible individuals who are patients in eligible institutions for mental diseases that is not less than the level of such services provided for such quarters, with respect to expenditures by the State for activities under the State plan (or a waiver of such plan) to design, develop, implement, or operate a prescription drug monitoring program (and to make connections to such programs) that satisfies the criteria described in paragraphs (1) and (2) of subsection (a) of this section, if the State paid the Medicaid administrative costs of such State for the most recently ended fiscal year as of the date of enactment of this subsection; and

(v) other items and services furnished to eligible individuals who are patients in eligible institutions for mental diseases that is not less than the level of such services provided for such quarters, with respect to expenditures by the State for activities under the State plan (or a waiver of such plan) to design, develop, implement, or operate a prescription drug monitoring program (and to make connections to such programs) that satisfies the criteria described in paragraphs (1) and (2) of subsection (a) of this section, if the State paid the Medicaid administrative costs of such State for the most recently ended fiscal year as of the date of enactment of this subsection; and

(iv) Evidence-based recovery and support services.

(iii) Clinically-directed therapeutic treatments to facilitate relapse prevention, and emotional coping strategies.

(iv) Outpatient medication-assisted treatment, related therapies, and pharmacology.

(v) Counseling and assistance for substance use disorder treatment.

(vi) Outpatient withdrawal management and related treatment designed to alleviate acute emotional, behavioral, cognitive, or biological distress occurring with, an individual’s use of alcohol and other drugs.

(vii) Routine monitoring of medication adherence.

(viii) Other outpatient and community-based services for the treatment of substance use disorder treatments.
use disorders, as designated by the Secretary.

‘‘(C) STATE REPORTING REQUIREMENT.—

‘‘(I) IN GENERAL.—Prior to approval of a State plan amendment under this sub-
section, as a condition for a State receiving payments under section 1902(a) for medical assistance provided in accordance with this subsection, the Secretary shall report to the Secretary, in accordance with the process estab-
lished by the Secretary under clause (i), the information deemed necessary by the Sec-
retary, of the criteria under which the Secretary deems appropriate, such infor-
mation as the Secretary deems necessary to verify a State’s compliance with subpara-
graph (A).

‘‘(4) ENSURING A CONTINUUM OF SERVICES.—

‘‘(A) IN GENERAL.—As a condition for a State receiving payments under section 1902(a) for medical assistance provided in ac-
cordance with this subsection, the State shall carry out each of the requirements de-
scribed in subparagraphs (B) through (D).

‘‘(B) PROCESS.—Not later than the date that is 8 months after the date of enactment of this subsection, the Secretary shall estab-
lish a process for States to report to the Sec-
retary, at such time and in such manner as the Secretary deems appropriate, such infor-
mation as the Secretary deems necessary to verify a State’s compliance with subpara-
graph (A).

‘‘(II) DIMENSIONS 1, 2, OR 3.—The term ‘Dimensions 1, 2, or 3’ has the meaning given that in section 1905(l).’’

(b) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as encouraging a State to place an individual in an inpatient or a residential care setting where a home or community-
based care setting would be more appropriate for the individual, or as preventing a State from conducting or pursuing a demonstration project under section 1115 of the Social Security Act to improve the quality of, substance use disorder treatment for eligible populations.

Subtitle G—Medicaid Improvement Fund

SEC. 6001. MEDICAID IMPROVEMENT FUND.

(a) In General.—The Secretary of Health and Human Services (42 U.S.C. 1396w–1(b)(1)) is amended by striking ‘‘$0’’ and inserting ‘‘$31,000,000’’.

TITLE VI—OTHER MEDICARE PROVISIONS

Subtitle A—Testing of Incentive Payments for Behavioral Health Providers for Adoption and Use of Certified Electronic Health Record Technology

SEC. 6001. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.

Section 1115(a)(b)(2)(B) of the Social Security Act (42 U.S.C. 1315(a)(b)(2)(B)) is amended by adding at the end the following new clause:

‘‘(ii) Providing, for the adoption and use of certified EHR technology (as defined in section 1848(b)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information, incentive payments to behavioral health providers (such as psychiatric hospitals (as defined in section 1861(n)), community mental health centers (as defined in section 1861(r)(3)(B)), hospitals that participate in a State plan under title XIX or a waiver of such plan, treatment facilities that par-
ticipate in such a State plan or such a waiv-
er, mental health or substance use disorder providers that participate in such a State plan or such a waiver, and clinical social workers (as defined in section 1861(h)(1))) with respect to the provision of psychiatric services, and clinical social workers (as defined in section 1861(h)(1)).’’

Subtitle B—Abuse Deterrent Access

SEC. 6011. SHORT TITLE.

This subtitle may be cited as the ‘‘Abuse Deterrent Access Act of 2018.’’

SEC. 6012. STIPENDS FOR ABUSE-DETERRENT OPIOID FORMULATIONS ACCESS BARRIERS UNDER MEDICARE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall conduct a study and submit to Congress a report on—

(1) the adequacy of access to abuse-deter-
rent opioid formulations for individuals with chronic pain enrolled in an MA–PD plan

(2) the adequacy of access to abuse-deter-
rent opioid formulations for individuals with chronic pain enrolled in a PDP plan

(3) any barriers to the use of abuse-deter-
rent opioid formulations for individuals with chronic pain enrolled in a PDP plan

(4) any other matter that the Secretary deems appropriate.
under part C of title XVIII of the Social Security Act or a prescription drug plan under part D of such title of such Act, taking into account any barriers preventing such individuals from accessing such medications under such MA–PD or part D plans, such as cost-sharing tiers, fail-first requirements, the price of such formulations, and prior authorization requirements; and
(2) the effectiveness of abuse-deterrent opioid formulations in preventing opioid abuse or misuse, the impact of the use of abuse-deterrent opioid formulations on the use or abuse of other prescription or illicit opioids (including changes in deaths from such opioids); and other public health consequences of abuse-related opioid formulations, such as an increase in rates of human immunodeficiency virus.

b) DEFINITION OF ABUSE-DETERRENT OPIOID FORMULATION.—In this section, the term “abuse-deterrent opioid formulation” means an opioid that is a prodrug or that has certain abuse-deterrent properties, such as physical or chemical barriers, agonist or antagonist combinations, aversion properties, delivery mechanism, or other features designed to prevent abuse of such opioid.

Subtitle C—Medicare Safety Education

SEC. 6021. MEDICARE OPIOID SAFETY EDUCATION

(a) IN GENERAL.—Section 1804 of the Social Security Act (42 U.S.C. 1395f–2) is amended by adding at the end the following new subsection:

“(d) The notice provided under subsection (a) shall include—

‘‘(1) references to educational resources regarding opioid addiction and pain management;

‘‘(2) a description of categories of alternative, non-opioid pain management treatments covered under this title; and

‘‘(3) a reference to a beneficiary to talk to a physician regarding opioid use and pain management.’’.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to notices distributed prior to each Medicare open enrollment period beginning after January 1, 2019.

Subtitle D—Opioid Addiction Action Plan

SEC. 6023. SHORT TITLE.

This subtitle may be cited as the “Opioid Addiction Action Plan Act”.

SEC. 6022. ACTION PLAN ON RECOMMENDATIONS FOR THE MEDICATION-ASSISTED TREATMENT \(\text{\textsuperscript{4}}\) OF OPIOID USE OR DISORDER UNDER MEDICARE AND MEDICAID TO PREVENT OPIOIDS ADDICTIONS AND ENHANCE ACCESS TO MEDICATION-ASSISTED TREATMENT.

(a) IN GENERAL.—Not later than January 1, 2020, the Secretary of Health and Human Services (in this section referred to as the “Secretary”), in collaboration with the Pain Management Best Practices Inter-Agency Task Force convened under section 101(b) of the CDC Opioid Prescription Responsibility Act of 2016 (Public Law 114–196), shall develop an action plan as described in subsection (b).

(b) ACTION PLAN COMPONENTS.—The action plan shall include a review by the Secretary of Medicare and Medicaid payment and coverage policies that may be viewed as potential obstacles to an effective response to the opioid crisis, and recommendations, as determined appropriate by the Secretary, on the following:

(1) an inventory of payment and coverage policies under the Medicare program under title XVIII of the Social Security Act and the Medicaid program under title XIX of such Act, including measures of the degree to which such policies and any such arrangements under such programs of all medication-assisted treatment approved by the Food and Drug Administration related to the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse, including in such review payment policies under the Medicare prospective payment system for inpatient hospital services under section 1886(d) of such Act (42 U.S.C. 1395ww(d)), and the Medicare prospective payment system for hospital outpatient department services under section 1833(t) of such Act (42 U.S.C. 1395f–1(c)), to determine whether those provisions result in incentives or disincentives that have contributed to the opioid crisis.

(2) Recommendations for payment and service delivery models to be tested as appropriate by the Center for Medicare and Medicaid Innovation and other federally authorized demonstration projects, including value-based models, that may encourage the use of appropriate medication-assisted treatment approved by the Food and Drug Administration for the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse.

(3) Recommendations data collection that could facilitate research and policy-making regarding prevention of opioid use disorder as well as data that would aid the Secretary in formulating and paying for decisions under the Medicare and Medicaid programs related to the access to appropriate opioid dependence treatments.

(4) A review of Medicare and Medicaid beneficiaries’ access to the full range of medication-assisted treatment approved by the Food and Drug Administration for the treatment of opioid use disorder and additional therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse, including access of beneficiaries residing in rural or medically underserved communities.

(5) A review of payment and coverage policies under the Medicare program and the Medicaid program related to medical devices that are not opioid-based treatments approved by the Food and Drug Administration for the management of acute pain and chronic pain, for monitoring substance use withdrawal and preventing overdoses of controlled substances, and for treating substance use disorder, including barriers to patient access.

(c) STAKEHOLDER MEETINGS.—

(1) IN GENERAL.—Beginning not later than 3 months after the date of the enactment of this section, the Secretary shall convene a public stakeholder meeting to solicit public comment on the components of the action plan described in subsection (b).

(2) PARTICIPANTS.—Participants of meetings described in paragraph (1) shall include representatives from the Food and Drug Administration and National Institutes of Health, biopharmaceutical industry members, medical researchers, health care providers, the medical device industry, the Medicare program, the Medicaid program, and patient advocates.

(d) REQUEST FOR INFORMATION.—Not later than 3 months after the date of the enactment of this section, the Secretary shall issue a request for information seeking public feedback regarding ways in which the Centers for Medicare & Medicaid Services can help address the crisis through the development of and application of the action plan.

(e) REPORT TO CONGRESS.—Not later than June 1, 2020, the Secretary shall submit to Congress, and make public, a report that includes—

(1) summary of the results of the Secretary’s review and any recommendations under the action plan;

(2) the Secretary’s planned next steps with respect to the action plan; and

(3) an evaluation of price trends for drugs used to reverse opioid overdose (such as naloxone), including recommendations on ways to lower such prices for consumers.

(4) DEFINITION OF MEDICATION-ASSISTED TREATMENT.—In this section, the term “medication-assisted treatment” means opioid treatment programs, behavioral therapy, and medications to treat substance abuse disorder.

Subtitle E—Advancing High Quality Treatment for Opioid Use Disorders in Medicare

SEC. 6041. SHORT TITLE.

This subtitle may be cited as the “Advancing High Quality Treatment for Opioid Use Disorders in Medicare Act”.

SEC. 6042. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.

Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended by inserting after section 1866E (42 U.S.C. 1395cc–5) the following new section:

“SEC. 1866F. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.

(a) IMPLEMENTATION OF 4-YEAR DEMONSTRATION PROGRAM.

“(1) IN GENERAL.—Not later than January 1, 2021, the Secretary shall implement a 4-year demonstration program under this title (in this section referred to as the ‘Program’) to increase access of applicable beneficiaries to opioid use disorder treatment services, improve physical and mental health outcomes for such beneficiaries, and to the extent possible, reduce expenditures under title X.

“(2) The Secretary shall make payments under subsection (e) to participants (as defined in subsection (c)(1)(A)) for furnishing opioid use disorder treatment services delivered through opioid use disorder treatment care teams, or arranging for such services to be furnished, to applicable beneficiaries participating in the Program.

“(3) OPIOID USE DISORDER TREATMENT SERVICES.—For purposes of this section, the term ‘opioid use disorder treatment services’—

‘‘(A) means, with respect to an applicable beneficiary, services that are furnished for the treatment of opioid use disorders and the use of drugs as defined in section 1861(s) of the Federal Food, Drug, and Cosmetic Act for the treatment of opioid use disorders in an outpatient setting; and

‘‘(B) includes—

‘‘(i) medication-assisted treatment;

‘‘(ii) treatment planning;

‘‘(iii) psychiatric, psychological, or counseling services (or any combination of such services), as appropriate; and

‘‘(iv) social support services, as appropriate; and

‘‘(v) care management and care coordination services, including coordination with other providers of services and suppliers not on an opioid use disorder care team.

“(b) PROGRAM DESIGN.—

“(1) IN GENERAL.—The Secretary shall design the Program in such a manner to allow for the evaluation of the extent to which the Program accomplishes the following purposes:

‘‘(A) Reduces hospitalizations and emergency department visits.

‘‘(B) Increases use of medication-assisted treatment for opioid use disorders.

‘‘(C) Improves health outcomes of individuals with opioid use disorders, including by reducing the incidence of infectious diseases (such as hepatitis C and HIV).

‘‘(D) Does not increase the total spending on items and services under this title.

‘‘(E) Reduces deaths from opioid overdose.

‘‘(F) Reduces the utilization of inpatient residential treatment.

“SEC. 1866G. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.
‘(2) CONSULTATION.—In designing the Program, including the criteria under subsection (e)(2)(A), the Secretary shall, not later than 3 months after the date of the enactment, consult with specialists in the field of addiction, clinicians in the primary care community, and beneficiary groups.

‘(c) Participants: Opioid Use Disorder Care Teams.—

‘(1) Participants.—

‘(A) DEFINITION.—In this section, the term ‘participant’ means an individual or—

‘(i) that is otherwise enrolled under this title and that is—

‘(I) a physician (as defined in section 1861(r)(1));

‘(II) a group practice comprised of at least one physician described in subclause (I);

‘(III) a hospital outpatient department;

‘(IV) a federal qualified health center (as defined in section 1861(aa)(4));

‘(V) a rural health clinic (as defined in section 1861(aa)(4));

‘(VI) a community mental health center (as defined in section 1861(ff)(3)(B));

‘(VII) a clinic certified as a certified community mental health clinic pursuant to section 223 of the Protecting Access to Medicare Act of 2014; or

‘(VIII) any other individual or entity specified by the Secretary;

‘(ii) that applied for and was selected to participate in the Program pursuant to an application and selection process established by the Secretary; and

‘(iii) that establishes an opioid use disorder care team (as defined in paragraph (2)) through employing or contracting with health care practitioners described in paragraph (2)(A), and uses such team to furnish or arrange for opioid use disorder treatment services in the outpatient setting under the Program.

‘(2) Preference.—In selecting participants for the Program, the Secretary shall give preference to individuals and entities that are located in areas with a prevalence of opioid use disorders that is higher than the national average prevalence.

‘(2) Opioid use disorder care teams.—

‘(A) In general.—For purposes of this section, the term ‘opioid use disorder care team’ means a health care practitioner or health care practitioners established by a participant described in paragraph (1)(A) that—

‘(i) shall include—

‘(I) a licensed physician (as defined in section 1861(r)(1)) furnishing primary care services or addiction treatment services to an applicable beneficiary; and

‘(II) at least one eligible practitioner (as defined in paragraph (3)), who may be a physician who meets the criterion in subclause (I); and

‘(ii) may include other practitioners licensed under State law to furnish psychiatric, psychological, counseling, and social services to applicable beneficiaries.

‘(B) For receipt of payment under Program.—In order to receive payments under subsection (e), each participant in the Program shall—

‘(i) furnish opioid use disorder treatment services through opioid use disorder care teams to applicable beneficiaries who agree to receive the services;

‘(ii) meet minimum criteria, as established by the Secretary; and

‘(iii) submit to the Secretary, in such form, manner, and frequency as specified by the Secretary, subject to each applicable beneficiary for whom opioid use disorder treatment services are furnished by the opioid use disorder care team, data and such other information as the Secretary determines appropriate to—

‘(I) monitor and evaluate the Program;

‘(II) determine if minimum criteria are met under clause (i); and

‘(III) determine the incentive payment under subsection (e).

‘(3) Eligible practitioner.—For purposes of this section, the term ‘eligible practitioner’ means a physician or other health care practitioner, such as a nurse practitioner—

‘(A) is enrolled under section 1866(j)(1);

‘(B) is authorized to prescribe or dispense narcotic drugs to individuals for maintenance treatment or detoxification treatment; and

‘(C) has in effect a waiver in accordance with section 330(g) of the Controlled Substances Act for individuals in opioid use disorder treatment in compliance with regulations promulgated by the Substance Abuse and Mental Health Services Administration to carry out such section.

‘(4) Participation of applicable beneficiaries.—

‘(1) Applicable beneficiary defined.—In this section, the term ‘applicable beneficiary’ means an individual who—

‘(A) is entitled to, or enrolled for, benefits under part A and enrolled for benefits under part B;

‘(B) is not enrolled in a Medicare Advantage plan under part C;

‘(C) has a current diagnosis for an opioid use disorder; and

‘(D) meets such other criteria as the Secretary determines appropriate.

‘Such term shall include an individual who is dually eligible for benefits under title XIX and title XVIII or is otherwise determined by the Secretary.

‘(2) Opioid use disorder treatment services.—In order to participate in the Program, an applicable beneficiary shall agree to receive opioid use disorder treatment services with such payer related to opioid use disorder treatment under this title and title XIX if such individual satisfies the criteria described in subparagraphs (A) through (D).

‘(3) Voluntary beneficiary participation; limitation on number of beneficiaries.—An applicable beneficiary may participate in the Program on a voluntary basis and may terminate participation in the Program at any time. Not more than 20,000 applicable beneficiaries may participate in the Program at any time.

‘(4) Services.—In order to participate in the Program, an applicable beneficiary shall—

‘(A) patient engagement and retention in treatment.

‘(B) Evidence-based medication-assisted treatment.

‘(C) Other criteria established by the Secretary.

‘(D) Required consultation and consideration.—In determining criteria described in subparagraph (A), the Secretary shall—

‘(i) consult with stakeholders, including clinicians in the primary care community and in the field of addiction medicine; and

‘(ii) consider existing clinical guidelines for the treatment of opioid use disorders.

‘(E) No duplicate payment.—The Secretary shall ensure that no duplicate payments under this paragraph are made with respect to an applicable beneficiary.

‘(F) Multilayer system.—In carrying out the Program, the Secretary shall encourage other payers to provide similar payments and to use similar criteria as applied under the Program under subsection (e)(2)(C). The Secretary may enter into a memorandum of understanding with other payers to align the methodology for payment provided by such a payer related to opioid use disorder treatment services with such methodology for payment under the Program.

‘(g) Evaluation.—

‘(1) In general.—The Secretary shall conduct an intermediate and final evaluation of the program. Each such evaluation shall determine the extent to which each of the purposes described in subsection (b) have been accomplished under this Program.

‘(2) Reports.—The Secretary shall submit to Congress—

‘(A) a report with respect to the intermediate evaluation under paragraph (1) not later than 3 years after the date of the implementation of the Program; and

‘(B) a report with respect to the final evaluation under paragraph (1) not later than 6 years after such date.

‘(h) Funding.—
“(1) ADMINISTRATIVE FUNDING.—For the purposes of implementing, administering, and carrying out the Program (other than for purposes described in paragraph (2)), $5,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841.

(2) CARE MANAGEMENT FEES AND INCENTIVES.—For purposes of making payments under subsection (e), $10,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841 for each of fiscal years 2021 through 2024.

“(3) AVAILABILITY.—Amounts transferred under this subsection for a fiscal year shall be available until expended.

“(4) WAIVERS.—The Secretary may waive any provision of this title as may be necessary to carry out the Program under this section.

“Subtitle F—Responsible Education Achieves Care and Healthy Outcomes for Users’ Treatment

SEC. 6051. SHORT TITLE. This subtitle may be cited as the “Responsible Education Achieves Care and Healthy Outcomes for Users’ Treatment Act of 2018” or the “REACH OUT Act of 2018.”

SEC. 6052. GRANTS TO PROVIDE TECHNICAL ASSISTANCE TO OUTLIER PRESCRIBERS OF OPIOIDS.

(a) GRANTS AUTHORIZED.—The Secretary of Health and Human Services (in this paragraph referred to as the “Secretary”) shall, through the Centers for Medicare & Medicaid Services, award grants, contracts, or cooperative agreements to eligible entities for the purposes described in subsection (b).

(b) USE OF FUNDS.—Grants, contracts, and cooperative agreements awarded under subsection (a) shall be used to support eligible entities through technical assistance—

(1) to educate and provide outreach to prescribers of opioids about best practices for prescribing opioids; and

(2) to educate and provide outreach to prescribers of opioids about non-opioid pain management therapies; and

(3) to reduce the amount of opioid prescriptions provided by outlier prescribers of opioids.

(c) APPLICATION.—Each eligible entity seeking to receive a grant, contract, or cooperative agreement under this section shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding grants, scholarships, and cooperative agreements under this section, the Secretary shall prioritize establishing technical assistance resources in each State.

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ‘‘eligible entity’’ means—

(A) an organization—

(i) that has demonstrated experience providing technical assistance to health care professionals on a State or regional basis; and

(ii) that has at least—

(I) one individual who is a representative of consumers on its governing body; and

(II) one individual who is a representative of health care providers on its governing body; or

(B) an entity that is a quality improvement entity with a contract under part B of title XVIII of the Social Security Act (42 U.S.C. 1320c et seq.).

(2) OUTLIER PRESCRIBER OF OPIOIDS.—The term ‘‘outlier prescriber of opioids’’ means, with respect to a covered part D prescription drug plan, a prescriber identified by the Secretary under subparagraph (D) of section 1860d-4(c)(4) of the Social Security Act (42 U.S.C. 1395w-104(c)(4)), as added by section 6065 of this Act, to be an outlier prescriber of opioids for such period.

(3) PRESCRIBERS.—The term ‘‘prescriber’’ means any individual, including a nurse practitioner or physician assistant, who is licensed to prescribe opioids by the State or territory in which such professional practices.

(f) FUNDING.—For purposes of implementing this section, $75,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841 of the Social Security Act (42 U.S.C. 1395t), to remain available until expended.

“Subtitle G—Preventing Addiction for SusceptibleSeniors

SEC. 6061. SHORT TITLE. This subtitle may be cited as the “Preventing Addiction for Susceptible Seniors Act of 2018” or the “PASS Act of 2018.”

SEC. 6062. ELECTRONIC PRIOR AUTHORIZATION FOR COVERAGE PART D DRUGS.

Section 1860D-4(e)(2) of the Social Security Act (42 U.S.C. 1395w-104(e)(2)) is amended by adding at the end the following new subparagraph:

“(E) ELECTRONIC PRIOR AUTHORIZATION.—

(1) IN GENERAL.—Not later than January 1, 2021, the program shall provide for the secure electronic transmission of—

(I) a prior authorization request from the prescribing health care professional for coverage, management, or refill of a covered part D drug for an eligible individual enrolled in a part D plan (as defined in section 1860D-23(a)(5)) to the PDP sponsor or Medicare Advantage organization offering such plan; and

(II) a response, in accordance with this subparagraph, from such PDP sponsor or Medicare Advantage organization, respectively, to the submission.

(2) ELECTRONIC TRANSMISSION.—

(I) EXCLUSIONS.—For purposes of this subparagraph, a facsimile, a proprietary payer portal that does not meet standards specified by the Secretary, or an electronic form shall not be treated as an electronic transmission described in clause (i).

(II) STANDARDS.—In order to be treated, for purposes of this subparagraph, as an electronic transmission described in clause (i), such transmission shall comply with technical standards for purposes of this subparagraph set forth in section 1860D-23(c).

(3) AVAILABILITY.—Amounts transferred under this section shall be available until expended.

SEC. 6063. PROGRAM INTEGRITY TRANSPARENCY MEASURES UNDER MEDICARE PART D.

(a) IN GENERAL.—Section 1859 of the Social Security Act (42 U.S.C. 1395w-28) is amended by adding at the end the following new subsection:

“(1) PROGRAM INTEGRITY TRANSPARENCY MEASURES.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall, through consultation with stakeholders, establish a secure internet website portal (or other successor technology) that would allow a secure path for communication between the Secretary, MA plans under this part, prescription drug plans under part D, and an eligible entity with a contract under section 1893 (such as a Medicare drug integrity contractor or an entity responsible for carrying out program integrity activities under part D) for the purpose of enabling through such portal (or other successor technology)—

(i) the referral by such plans of substantiated suspicious activities (as defined by the Secretary, of a provider of services (including a prescriber) or supplier related to fraud, waste, and abuse for initiating or assisting investigations conducted by the eligible entity; and

(ii) data sharing among such MA plans, prescription drug plans, and the Secretary.

(B) REQUIRED USES OF PORTAL.—The Secretary shall disseminate the following information to MA plans under this part and prescription drug plans under part D through the secure internet website portal (or other successor technology) established under subparagraph (A):

(i) Providers of services and suppliers that have been referred pursuant to subparagraph (A)(i) during the previous 12-month period.

(ii) Providers of services and suppliers who are the subject of an active exclusion under section 1128 or who are subject to a suspension of payment under this title pursuant to section 1128.

(iii) Providers of services and suppliers who are the subject of an active revocation of participation under this title, including for not satisfying conditions of participation.

(iv) In the case of such a plan that makes a referral under subparagraph (A)(i) through the portal (or other successor technology) with respect to activities that would support an investigation of substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been the subject of an administrative action under this title or title XI with respect to similar activities, a notification to such plan of such action so taken.

(C) RULEMAKING.—For purposes of this paragraph, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, and abuse, such as what is provided in the Medicare Program Integrity Manual 4.8. In carrying out this subsection, a fraud hotline tip (as defined by the Secretary) without further evidence shall not be treated as sufficient evidence for substantiated fraud, waste, or abuse.

(D) HIPAA COMPLIANT INFORMATION ONLY.—For purposes of this subsection, communications made available to MA plans under this part and prescription drug plans under part D in a timely manner (but no less frequently than quarterly) and using information submitted to an entity described in paragraph (1) through the portal (or other successor technology) described in such paragraph or pursuant to section 1893, information on fraud, waste, and abuse schemes or trends in identifying suspicious activity. Information included in each such report shall—

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“(A) include administrative actions, pertinent information related to opioid overprescribing, and other data determined appropriate by the Secretary in consultation with stakeholders, sponsors of MA plans and prescription drug plans with stakeholders, establish a process under 2021, the Secretary shall, in consultation determining if a provider of services prescribes SCRIBERS OF OPIOIDS.—

(Terminated by the Secretary) Nothing in this subparagraph to include identification of such prescriber as a persistently outlier prescriber of opioids. The Secretary shall determine the length of the period for which such prescriber is required to maintain such enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall consult with interested stakeholders.

(VIII) OPIOIDS DEFINED.—For purposes of this subparagraph, the term ‘‘opioids’’ means the following:

(a) Claims for covered part D drugs for part D eligible individuals who are receiving hospice care under this title.

(b) Claims for covered part D drugs for part D eligible individuals who are receiving oncology services under this title.

(c) Prescribers who are the subject of an investigation by the Centers for Medicare & Medicaid Services or the Inspector General of the Department of Health and Human Services.

(d) Information determined appropriate by the Secretary, consistent with clause(viii)(I), that includes resources on proper prescribing such prescriber has been so identified and maintained on the enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall determine the length of the period for which such prescriber is required to maintain such enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall consult with interested stakeholders.

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(b) Claims for covered part D drugs for part D eligible individuals who are receiving oncology services under this title.

(c) Prescribers who are the subject of an investigation by the Centers for Medicare & Medicaid Services or the Inspector General of the Department of Health and Human Services.

(d) Information determined appropriate by the Secretary, consistent with clause(viii)(I), that includes resources on proper prescribing such prescriber has been so identified and maintained on the enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall determine the length of the period for which such prescriber is required to maintain such enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall consult with interested stakeholders.

(VIII) OPIOIDS DEFINED.—For purposes of this subparagraph, the term ‘‘opioids’’ means the following:

(a) Claims for covered part D drugs for part D eligible individuals who are receiving hospice care under this title.

(b) Claims for covered part D drugs for part D eligible individuals who are receiving oncology services under this title.

(c) Prescribers who are the subject of an investigation by the Centers for Medicare & Medicaid Services or the Inspector General of the Department of Health and Human Services.

(d) Information determined appropriate by the Secretary, consistent with clause(viii)(I), that includes resources on proper prescribing such prescriber has been so identified and maintained on the enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall determine the length of the period for which such prescriber is required to maintain such enrollment, which shall be the minimum period necessary to correct prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall consult with interested stakeholders.
A description of how opioid use is tracked and monitored through Medicare claims data and other mechanisms and the identification of any areas in which further data and further improvements in data collection are needed, to improve understanding and measurement of opioid use.

SEC. 6073. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this subsection or to be carried out using amounts otherwise authorized to be appropriated.

Subsection I—Dr. Todd Graham Pain Management, Treatment, and Recovery

SEC. 6081. SHORT TITLE.

This subtitle may be cited as the “Dr. Todd Graham Pain Management, Treatment, and Recovery Act of 2018”.

SEC. 6082. REVIEW AND ADJUSTMENT OF PAYMENTS UNDER THE MEDICARE OUTPATIENT PROSPECTIVE PAYMENT SYSTEM TO AVOID FINANCIAL INCENTIVES TO USE OPIOIDS INSTEAD OF NON-OPIOID ALTERNATIVE TREATMENTS.

(a) OUTPATIENT PROSPECTIVE PAYMENT SYSTEM—Section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) is amended by adding at the end the following new paragraph:

``'
(22) REVIEW AND REVISIONS OF PAYMENTS FOR COVERED OPD SERVICES (OR GROUPS OF SERVICES), INCLUD-ING NON-OPIOID ALTERNATIVE TREATMENTS.

(A) IN GENERAL.—With respect to payments for covered OPD services (or groups of services), including covered OPD services assigned to a comprehensive ambulatory payment classification, the Secretary shall:

(i) shall, as soon as practicable, conduct a review (part of which may include a request for information) of payments for opioids and evidence-based non-opioid alternatives for pain management (including drugs and devices, nerve blocks, surgical injections, and neuromodulation) with a goal of ensuring that the financial incentives to use opioids instead of non-opioid alternatives; and

(ii) may, as the Secretary determines appropriate, conduct subsequent reviews of such payments; and

(iii) shall consider the extent to which revisions under this subsection to such payments (such as the creation of additional composite ambulatory payment classification that separately those procedures that utilize opioids and non-opioid alternatives for pain management) would reduce payment incentives for the use of non-opioid alternatives for pain management.

(B) PRIORITY.—In conducting the review under clause (i) of subparagraph (A) and considering the requirement of clause (iii) of such subparagraph, the Secretary shall focus on covered OPD services (or groups of services) assigned to a comprehensive ambulatory payment classification, ambulatory payment classifications that primarily include surgical services, and other services determined by the Secretary which generally involve treatment for pain management.

(C) REVISIONS.—If the Secretary identifies revisions to payments pursuant to subparagraph (A)(i) or (ii), the Secretary shall, as determined appropriate, make the necessary revisions for services furnished on or after January 1, 2020. Revisions under the previous sentence shall be treated as adjustments for purposes of application of paragraph (8)(B).

(D) RULES OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude the Secretary—

(i) from conducting a demonstration before making the revisions described in subparagraph (C); or

(ii) prior to implementation of the paragraph, to conduct a demonstration before making revisions for services furnished on or after January 1, 2020.

(2) APPLICATION.—In order to receive a payment described in subparagraph (A), a Federally qualified health center shall submit to the Secretary, and make such revisions under this paragraph, a demonstration of receiving data 2000 waivers described in paragraph (3)(B).

(b) FEDERALLY QUALIFIED HEALTH CENTERS.—Section 1833(h) of the Social Security Act (42 U.S.C. 1395l(i)) is amended by adding at the end the following new paragraph:

``'
(2) APPLICATION.—In order to receive a payment described in subsection (a), a rural health clinic shall submit to the Secretary an application for such a payment at such time, in such manner, and containing such information as specified by the Secretary. A rural health clinic may apply for such a payment for each physician or practitioner described in paragraph (1) furnishing services described in such paragraph at such clinic.

(c) REQUIREMENTS.—For purposes of paragraphs (1) and (2), the requirements described in this paragraph, with respect to a physician or practitioner, are the following:

(A) The physician or practitioner is employed or working under contract with a rural health clinic described in paragraph (1) that submits an application under paragraph (2).

(B) The physician or practitioner first receives a waiver under section 303(g) of the Controlled Substances Act on or after January 1, 2019.

(d) FUNDING.—For purposes of making payments under this subsection, there are appropriated, out of amounts in the Treasury not otherwise appropriated, $2,000,000, which shall remain available until expended.''

SEC. 6083. STUDYING THE AVAILABILITY OF SUPPLEMENTAL BENEFITS DESIGNED TO TREAT OR PREVENT SUBSTANCE USE DISORDERS UNDER MEDICARE ADVANTAGE PLANS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall submit to Congress a report on the availability of supplemental health care benefits (as described in section 1859(b)(3)(A) of the Social Security Act (42 U.S.C. 1395w–22(a)(3)(A))) designed to treat or prevent substance use disorders under Medicare Advantage plans offered under part D of title XVIII of such Act. Such report shall include the analysis described in subsection (c) and any differences in the availability of such benefits under Medicare Advantage plans.

(b) CONSULTATION.—The Secretary shall develop the report described in subsection (a) in consultation with relevant stakeholders, including—

(1) individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act;

(2) entities who advocate on behalf of such individuals;

(3) Medicare Advantage organizations;

(4) pharmacy benefit managers; and

(5) practitioners of substance use disorder (as such terms are defined in section 1861 of such Act (42 U.S.C. 1395x)).
The report described in subsection (a) shall include an analysis on the following:

(1) The extent to which plans described in such section (a) provide supplemental health care benefits and services to the extent of such health care benefits and services to the extent of such health care benefits and services.

(2) Challenges associated with such plans offering supplemental health care benefits and services to the extent of such health care benefits and services.

(3) The impact, if any, of increasing the plans described in such section (a) to provide additional supplemental health care benefits and services to the extent of such health care benefits and services.

(4) Potential ways to improve upon such coverage and such plans to offer additional supplemental health care benefits and services to the extent of such health care benefits and services.

SEC. 6085. CLINICAL PSYCHOLOGIST SERVICES MODELS UNDER THE CENTER FOR MEDICARE AND MEDICAID INNOVATION; GAO STUDY AND REPORT

(a) CMI MODELS.—Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)), as amended by section 6001, is further amended by adding at the end the following new clause:

“(xxvi) Supporting ways to familiarize individuals with the availability of coverage under part B of title XVIII for qualified psychologist services (as defined in section 1861(i)).”

“(xxvii) Exploring ways to avoid unnecessary hospitalizations or emergency department visits for mental and behavioral health services (such as for treating depression) through use of a 24-hour, 7-day a week help line that may be in place for the individuals about the availability of treatment options, including the availability of qualified psychologist services (as defined in section 1861(i)).”

(b) EX PosY.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study, and submit to the Committee on Finance of the Senate a report containing options for revising payment to providers and suppliers of services and coverage related to the use of multi-disciplinary, evidence-based, non-opioid treatments for acute and chronic pain management for individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act. The Secretary shall make such report available on the public website of the Centers for Medicare & Medicaid Services.

(b) CONSULTATION.—In developing the report described in subsection (a), the Secretary shall consult with—

(1) relevant agencies within the Department of Health and Human Services;

(2) licensed medical and psychiatric professionals, behavioral health practitioners, physician assistants, nurse practitioners, dentists, pharmacists, and other providers of health services;

(3) providers and suppliers of services (as such terms are defined in section 1861 of the Social Security Act (42 U.S.C. 1395x(ii)));

(4) substance abuse and mental health professional organizations;

(5) pain management professional organizations and advocacy entities, including individuals who personally suffer chronic pain;

(6) medical professional organizations and medical specialty organizations;

(7) licensed medical and psychiatric providers who furnish alternative pain management services;

(8) organizations with expertise in the development of innovative medical technologies for pain management;

(9) beneficiary advocacy organizations; and

(10) other organizations with expertise in the assessment, diagnosis, treatment, and management of pain, as determined appropriate by the Secretary.

(c) CONTENTS.—The report described in subsection (a) shall include the following:

(1) An analysis of payment and coverage under title XVIII of the Social Security Act with respect to the following:

(A) Evidence-based treatments and technologies for chronic or acute pain, including such treatments that are covered, not covered, or have limited coverage under such title.

(B) Evidence-based treatments and technologies that monitor substance use withdrawal and prevent overdoses of opioids.

(C) Evidence-based treatments and technologies that treat substance use disorders.

(D) Items and services furnished by practitioners through a multi-disciplinary treatment model that includes the patient-centered medical home.

(E) Items and services furnished to beneficiaries with psychiatric disorders, substance use disorders, or addiction treatment, or for individuals at risk of suicide, or have comorbidities and require consultation or management of pain with one or more specialists in pain management, mental health, or addiction treatment.

(2) An evaluation of the following:

(A) Barriers inhibiting individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act from accessing treatment options and technologies described in subparagraphs (A) through (E) of paragraph (1).

(B) Costs and benefits associated with potential expansion of coverage under such title to include items and services not covered under such title that may be used for the treatment of pain, such as acupuncture, therapies, services, and technologies furnished by integrated pain management programs.

(C) Pain management guidance published by the President, the Secretary of Veterans Affairs, and the President of the Senate that may be relevant to coverage determinations or other coverage requirements under title XVIII of the Social Security Act.

(D) Any guidance published by the Department of Health and Human Services on or after January 1, 2016, relating to the prescribing of opioids. Such assessment shall consider incorporating into such guidance relevant elements of the “Va/DoD Clinical Practice Guideline for Opioid Therapy for Chronic Pain published in February 2017 by the Department of Veterans Affairs and Department of Defense, including adoption of elements of the Department of Defense and Department of Veterans Affairs pain rating scale.

(4) The options described in subsection (d).

(5) The impact analysis described in subsection (e).

(d) OPTIONS.—The options described in this subsection are, with respect to individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act, legislative and administrative options for accomplishing the following:

(1) Improving coverage of and payment for pain management therapies without the use of opioids, including interventional pain therapies, and options to augment opioid therapy with other clinical and complementary, integrative health services to minimize the risk of substance use disorder, including in a hospital setting.

(2) Improving coverage of and payment for medical devices and technologies approved by the Food and Drug Administration for the treatment of opioid use or addiction or to augment opioid therapy.

(3) Improving and disseminating treatment strategies for beneficiaries with psychiatric disorders, substance use disorders, or who are at risk of suicide, and treatment strategies to address health disparities related to opioid use and opioid abuse treatment.

(4) Improving and disseminating treatment strategies for beneficiaries with comorbidities who require a consultation or management of pain with one or more specialists in pain management, mental health, or addiction treatment, including in a hospital setting.

(5) Educating providers on risks of co-administration of opioids and other drugs, particularly benzodiazepines.

(6) Ensuring appropriate case management for beneficiaries who transition between inpatient and outpatient hospital settings, or between opioid therapy to non-opioid therapies, and a plan may include the use of care transition plans.

(7) Expanding outreach activities designed to educate providers of services and suppliers of services under the Medicare program and individuals entitled to benefits under part A or under part B of such title on alternative, non-opioid therapies to manage and treat acute and chronic pain.

(8) Creating a beneficiary education tool on alternatives to opioids for chronic pain management.

(e) IMPACT ANALYSIS.—The impact analysis described in this subsection consists of an analysis of any potential effects implementing the options described in subsection (d) would have—

(1) on expenditures under the Medicare program; and

(2) on preventing or reducing opioid addiction for individuals receiving benefits under the Medicare program.

Title J—Combating Opioid Abuse for Care in Hospitals

SEC. 6091. SHORT TITLE.

This subtitle may be cited as the “Combating Opioid Abuse for Care in Hospitals Act of 2018” or the “COACH Act of 2018”.

September 28, 2018
resenting such consumers; and

Social Security Act (42 U.S.C. 1395x)); such terms are defined in section 1861 of the

manner and made available in multiple lan-

natives;

adverse interaction with such opioid, and

stratification;

addiction and overdose) and the importance

associated with opioid use (including the risks of

such individuals who are prescribed an opioid

for use as appropriate, for

furnishing items and services at such hos-

pitals receiving payment under part A of

tion 1886(o).

the hospital value-based purchasing program

under section 1899(a).

the date of the enactment of this Act; and

Submit to Congress a report that contains

the Secretary of Health and Human Services shall

that—

nothing to ensure payment

limit the use of opioids in the perioperative

period, including pre-surgical and post-surgical

injections, and that identify such patients at

risk of opioid use disorder pre-operation.

Shared decision making with patients

and other recovery programs. The Secretary

education on—

A notification template developed by

resources available to such individuals,

such as opioid treatment programs, peer sup-

port groups, and other recovery programs.

Best practices for such hospitals to edu-

cators practitioners furnishing items and serv-

ices at such hospital with respect to pain

management and substance use disorders, in- cluding

education on—

the adverse effects of prolonged opioid

use;

non-opioid, evidence-based, non-phar-

macological pain management treatments;

monitoring programs for individuals who

have been prescribed opioids; and

the persistence of mornalone along with

an initial opioid prescription.

Best practices for such hospitals to

make such individuals aware of the risks as-

sociated with such opioid, which may include

use of the notification template described in

paragraph (4),

A notification template developed by

the Secretary, for use as appropriate, for

such individuals who are prescribed an opioid

that—

(1) explains the risks and side effects asso-

ciated with opioid use (including the risks of

addiction and overdose) and the importance of

adhering to the prescribed treatment regi-

men, avoiding medications that may have

an adverse interaction with such opioid, and

storing such opioid safely and securely;

(2) highlights multimodal and evidence-

based non-opioid alternatives for pain man-

agement;

(3) encourages such individuals to talk to

their health care providers about such alter-

natives;

(4) provides for a method (through signa-

ture or otherwise) for such an individual, or

person acting on such individual’s behalf, to

acknowledge receipt of such notification tem-

plate; and

(E) is worded in an easily understandable

manner and made available in multiple lan-

guages determined appropriate by the Sec-

retary; and

(F) includes any other information deter-

mined appropriate by the Secretary.

Best practices for such hospital to track

opioid prescribing trends by practitioners

furnishing items and services at such hos-

pitals, including—

(A) ways for such hospital to establish tar-

get levels, taking into account the special-

ties of such practitioners and the geographic

area in which such hospital is located, with

respect to opioids prescribed by such practi-

tioners;

(B) guidance on checking the medical

records of such individuals against informa-

tion included in prescription drug moni-

toring programs;

(C) strategies to reduce long-term opioid

prescriptions;

(D) methods to identify such practitioners

who may be over-prescribing opioids.

Other information the Secretary deter-

mines appropriate, including any such infor-
mation from the Opioid Safety Initiative es-
established by the Department of Veterans Af-
fairs or the Opioid Overdose Prevention Poolit public health report on the Opioid Safety Ini-

tiative established by the Substance Abuse

and Mental Health Services Administration.

tion 1886(aaa–1) is amended by adding at

the end the following new subsection:

‘‘(g) TECHNICAL EXPERT PANEL REVIEW OF

OPIOID AND OPIOID USE DISORDER TREAT-

MENTS FURNISHED UNDER THE

FEDERAL MEDICARE PROGRAM AND OTHER

FEDERAL HEALTH CARE PROGRAMS.

Section 1880A of the Social Security Act

(42 U.S.C. 1395(aa–a)) is amended after the

date the Secretary determines appropriate), the tech-

technical expert panel shall—

(1) IN GENERAL.—Not later than 180 days

after the date of the enactment of this subsec-

tion, the Secretary shall establish a tech-

cal expert panel for purposes of reviewing the

quality measures relating to opioids and

opioid use disorders, including care, preven-

tion, diagnosis, health outcomes, and treat-

ment furnished to individuals with opioid

use disorders. The Secretary may use the en-


tity with a contract under section 1880(a)

and amend such contract as necessary to

provide for the establishment of such tech-


cinical expert panel.

(2) REVIEW AND ASSESSMENT.—Not later

than 6 months after the date the technical ex-

pert panel described in paragraph (1) is es-

established (and periodically thereafter as

the Secretary determines appropriate), the tech-

nical expert panel shall—

(1) I N GENERAL.—Not later than 180 days

after the date of the enactment of this sub-

section, the Secretary shall establish a tech-

cal expert panel, in-

after the date of the enactment of this Act,

(2) R EPORT.—Not later than 1 year after

the date of the enactment of this Act, the

Secretary shall convene a technical expert panel,

including medical and surgical specialty soci-

eties, professional organizations, and other rec-

ommendations for including such

measure development the gaps in quality

The Secretary shall consider—

strategies with respect to individuals enti-

ted to benefits under such part.

pital in the geographic area in which such

hospital is located, with respect to opioids

prescribed by such practitioners;

(C) makes recommendations to the Sec-

retary on quality measures with respect to

opioids and opioid use disorders for purposes

of improving diagnosis, patient and popula-

tion health outcomes, and treatment, includ-

ing recommendations for revisions of such

measures, options for new measures, and

recommendations for including such

measures in the Merit-Based Incentive Pay-

ment System under section 1848(q), the alter-

native payment models under section

1833(e)(3)(C), the shared savings program

under section 1899, the quality reporting re-

quirements for inpatient hospitals under sec-

tion 1886(b)(3)(B)(viii), and the hospital value-

based purchasing program under

section 1886(a).

(3) CONSIDERATION OF MEASURES BY SEC-

retary.—(A) using opioid and opioid use disorder

measures (including measures used under the

Merit-Based Incentive Payment System

under section 1848(q), measures rec-

ommended under paragraph (2)(C), and other

such measures identified by the Secretary)

determined appropriate, in the peroperative

setting and upon discharge from such

setting.

(4) PRIORITIZATION OF MEASURE DEVELOP-

MENT.—The Secretary shall prioritize for

measure development the gaps in quality

measures identified under paragraphs (2)(B)

and (3) of this subsection.

(5) PRIORITIZATION OF MEASURE ENDORSE-

MENT.—The Secretary

(A) during the period beginning on the
date of the enactment of this subsection and

ending on December 31, 2023, shall prioritize

the endorsement of measures relating to

opioids and opioid use disorders by the enti-

ty with a contract under subsection (a) of

section 1880 in connection with endorsement of

measures described in subsection (b)(2) of

such section; and

(B) on and after January 1, 2024, may

prioritize the endorsement of such measures

by such entity.’’.

SEC. 6093. TECHNICAL EXPERT PANEL ON RE-

DUCING SURGICAL SETTING OPIOID USE; DATA

COLLECTION ON PERIOPERATIVE OPIOID USE.

(a) TECHNICAL EXPERT PANEL ON REDUC-

ING SURGICAL SETTING OPIOID USE.—

(1) I N GENERAL.—Not later than 6 months

after the date of the enactment of this Act, the

Secretary shall convene a technical expert panel,

including medical and surgical specialty soci-

eties, professional organizations, and other rec-

ommendations for reducing opioid use in the

inpatient and outpatient surgical set-

gi; and

(D) Education on the safe use, storage, and

disposal of opioids.

(D) Prevention of opioid misuse and abuse

after discharge.

(E) Development of a clinical algorithm to

identify and treat at-risk, opiate-tolerant pa-

ents, and reduce the reliance on the opioids

for acute pain during the perioperative period.

(2) R EPORT.—Not later than 1 year after

the date of the enactment of this Act, the

Secretary shall submit to Congress a report that

contains the rec-

ommendations under paragraph (1) and an action plan for broader implementa-

tion of pain management protocols that

limit the use of opioid-related codes identi-

fied by the Secretary as having the highest

volume of surgeries.
(2) With respect to each of such diagnosis-related group codes so identified, a determination by the Secretary of the data that is both available and reported on opioid use following such surgeries, such as with respect to—

(A) surgical volumes, practices, and opioid prescribing patterns;

(B) opioid consumption, including—

(i) perioperative doses of opioid use;

(ii) average daily dose at the hospital, including dosage greater than 90 milligram morphine equivalent;

(iii) post-discharge prescriptions and other combination therapies that are used before intervention and after intervention;

(iv) quantity and duration of opioid prescription at discharge; and

(v) quantity consumed and number of refills;

(C) regional anesthesia and analgesia practices, including pre-surgical and post-surgical injections;

(D) naloxone reversal;

(E) post-operative respiratory failure;

(F) information about storage and disposal; and

(G) such other information as the Secretary may specify.

(3) Recommendations for improving data collection on perioperative opioid use, including an analysis to identify and reduce barriers to collecting, reporting, and analyzing data described in paragraph (2), including barriers related to technological availability.

SEC. 6095. REQUIRING THE POSTING AND PERIODIC UPDATE OF OPIOID PRESCRIPTION GUIDANCE FOR MEDICARE BENEFICIARIES.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall—

(i) post on the public website of the Centers for Medicare & Medicaid Services all guidance published by the Department of Health and Human Services on or after January 1, 2016, relating to the prescribing of opioids and applicable to opioid prescriptions for individuals entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or enrolled under part B of such title of such Act of such terms are defined in section 1861(aa)(5));

(ii) in subclause (I), as so redesignated, by inserting ,"subject to subparagraph (C)," before "including";

(iii) by adding at the end the following new clause:

"(v) by adding at the end the following new clause:

"(I) the provision of information to the enrollee on the safe disposal of prescription drugs that are controlled substances that meets the criteria established under section 1862(z)(2), including information on drug takeback programs that such requirements determined appropriate by the Secretary and information on in-home disposal; and

"(II) cost-effective means by which an enrollee may so safely dispose of such drugs.".

(b) UPDATE OF GUIDANCE.—

(1) PERIODIC UPDATE.—The Secretary shall, in consultation with the entities specified in paragraph (2), periodically (as determined appropriate by the Secretary) update guidance described in subsection (a) and revise the posting of such guidance on the website described in such subsection.

(2) CONSULTATION.—The entities specified in this paragraph are the following:

(A) Medical professional organizations;

(B) Providers and suppliers of services (as such terms are defined in section 1861 of the Social Security Act (42 U.S.C. 1395x)).

(C) Health care consumers or groups representing such consumers.

(D) Other entities determined appropriate by the Secretary.

Subtitle K—Providing Reliable Options for Patients and Educational Resources

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the "Providing Reliable Options for Patients and Educational Resources Act of 2018" or the "PROPER Act of 2018".
Subtitle B—Pilot Program for Public Health Laboratories To Detect Fentanyl and Other Synthetic Opioids

SEC. 7011. PILOT PROGRAM FOR PUBLIC HEALTH LABORATORIES TO DETECT FENTANYL AND OTHER SYNTHETIC OPIOIDS.

(a) GRANTS.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to, or enter into cooperative agreements with, Federal, State, and local agencies to improve coordination between public health laboratories and laboratories operated by law enforcement agencies, such as Customs and Border Protection and the Drug Enforcement Administration, to improve detection of synthetic opioids, including fentanyl and its analogues, as described in subsection (b).

(b) DETECTION ACTIVITIES.—The Secretary, in consultation with the Director of the National Institute of Standards and Technology, the Director of the Centers for Disease Control and Prevention, the Attorney General of the United States, and the Administrator of the Drug Enforcement Administration, shall, for purposes of this section, develop or identify:

(1) best practices for safely handling and testing synthetic opioids, including fentanyl and its analogues with respect to reference materials, instrument calibration, and quality control protocols;

(2) reference materials and quality control standards related to synthetic opioids, including fentanyl and its analogues, to enhance—

(A) clinical diagnostics;

(B) postmortem data collection; and

(C) portable testing equipment utilized by law enforcement and public health officials; and

(3) procedures for the identification of new and emerging synthetic opioid formulations and procedures for reporting those findings to appropriate law enforcement agencies and Federal, State, and local public health laboratories and health departments, as appropriate.

(c) LABORATORIES.—The Secretary shall require recipients of grants or cooperative agreements under subsection (a) to—

(1) follow best practices established under subsection (b) and have the appropriate capabilities to provide laboratory testing of controlled substances, such as synthetic opioids and biopspecimens for the purposes of aggregating and reporting public health information to Federal, State, and local public health officials, laboratories, and other entities the Secretary deems appropriate;

(2) work with law enforcement agencies and public health authorities, as practicable;

(3) provide early warning information to Federal, State, and local agencies and public health authorities regarding trends or other data related to the supply of synthetic opioids, including fentanyl and its analogues;

(4) provide biosurveillance capabilities with respect to identifying trends in adverse health outcomes associated with non-fatal exposures; and

(5) provide diagnostic testing, as appropriate and practicable, for non-fatal exposures of emergency personnel, first responders, and other individuals.

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $15,000,000 for each of fiscal years 2019 through 2023.

Subtitle C—Indexing Narcotics, Fentanyl, and Opioids

SEC. 7021. ESTABLISHMENT OF SUBSTANCE USE DISORDER INFORMATION DASHBOARD.

Title XVII of the Public Health Service Act (42 U.S.C. 300u et seq.) is amended by adding at the end the following new section:

"SEC. 1711. ESTABLISHMENT OF SUBSTANCE USE DISORDER INFORMATION DASHBOARD.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Secretary of Health and Human Services shall, in consultation with the Director of National Drug Control Policy, establish and periodically update, on the Internet website of the Department of Health and Human Services, a public information dashboard that—

(1) provides links to information on programs within the Department of Health and Human Services related to the reduction of opioid and other substance use disorders;

(2) provides access, to the extent practicable and appropriate, to publicly available data, which may include data from agencies within the Department of Health and Human Services and—

(A) other Federal agencies;

(B) State, local, and Tribal governments;

(C) nonprofit organizations;

(D) law enforcement;

(E) medical experts;

(F) public health educators; and

(G) research institutions regarding prevention, treatment, recovery, and other services for opioid and other substance use disorders;

(3) provides data on substance use disorder prevention and treatment strategies in different regions of and populations in the United States;

(4) identifies information on alternatives to controlled substances for pain management, such as approaches studied by the National Institutes of Health Pain Consortium, the National Center for Complimentary and Integrative Health, and other institutes and centers at the National Institutes of Health, as appropriate; and

(5) identifies guidelines and best practices for health care providers regarding treatment of substance use disorders.

(b) CONTROLLED SUBSTANCE DEFINED.—In this section, the term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

SEC. 7022. INTERDEPARTMENTAL SUBSTANCE USE DISORDER COORDINATING COMMITTEE.

(a) ESTABLISHMENT.—Not later than 3 months after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the ‘‘Secretary’’), in coordination with the Director of National Drug Control Policy, shall, in coordination with the Director of National Drug Control Policy, establish a committee, to be known as the Interdepartmental Substance Use Disorders Coordinating Committee (in this section referred to as the ‘‘Committee’’), to coordinate Federal activities related to substance use disorders.

(b) MEMBERSHIP.—

(1) FEDERAL MEMBERS.—The Committee shall be composed of the following Federal representatives, or the designees of such representatives:

(A) The Secretary, who shall serve as the Chair of the Committee.

(B) The Attorney General of the United States.

(C) The Secretary of Labor.

(D) The Secretary of Housing and Urban Development.

(E) The Secretary of Education.

(F) The Secretary of Veterans Affairs.

(2) OTHER MEMBERS.—In addition to the Federal members described in paragraph (1), the Committee may include—

(A) representatives from State, local, Tribal, and private entities;

(B) representatives of individuals and groups affected by substance use disorders, including individuals and groups affected by the use of opioids and synthetic opioids, their families, and others affected.

(c) DUTIES.—The Committee shall—

(1) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce substance use disorders, including opioid and synthetic opioid use disorders;

(2) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce the harms associated with substance use disorders, including opioid and synthetic opioid use disorders;

(3) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce the economic burden associated with substance use disorders, including opioid and synthetic opioid use disorders;

(4) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce the social burden associated with substance use disorders, including opioid and synthetic opioid use disorders;

(5) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce the health care burden associated with substance use disorders, including opioid and synthetic opioid use disorders;

(6) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce the burden of isolation associated with substance use disorders, including opioid and synthetic opioid use disorders; and

(7) coordinate and cooperate with Federal, State, local, Tribal, and private entities to develop and implement strategies to reduce the burden of stigma associated with substance use disorders, including opioid and synthetic opioid use disorders.
(G) The Commissioner of Social Security.
(H) The Assistant Secretary for Mental Health and Substance Use.
(I) The Director of National Drug Control Policy.
(J) Representatives of other Federal agencies that support or conduct activities or programs related to substance use disorders, as determined by the Secretary.

(2) NON-FEDERAL MEMBERS.—The Committee shall include a minimum of 15 non-Federal members appointed by the Secretary, including by expansion access to prevention, treatment, and recovery services.

(a) TERMS.—
(1) I N GENERAL.—A member of the Committee shall have experience in working with racial and ethnic minority populations; and
(2) at least one such member shall be a State or local substance abuse agency.

(b) N ATIONAL MILESTONES TO END THE OPIOID CRISIS.

(1) In general.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish national milestones to measure progress in curtailing the opioid crisis, with the goal of significantly reversing the incidence and prevalence of opioid misuse and abuse, and opioid-related morbidity and mortality rates within 5 years of such date of enactment.

(2) National milestones to end the opioid crisis.—The national milestones under subsection (a) shall include the following:

(A) the number of fatal and non-fatal opioid overdose deaths; and
(B) the number of emergency room visits related to opioid misuse and abuse;

(c) EXTENSION OF PERIOD.—If the Secretary determines that the national milestones established under subsection (a) will not be achieved with respect to any indicator or metric established under subsection (b)(2) within 5 years of the date of enactment of this Act, the Secretary may extend the timeline for meeting such goal with respect to that indicator or metric. The Secretary shall include with such extension a rationale for why additional time is needed and information on whether significant changes are needed in order to achieve such goal with respect to the indicator or metric.

(d) ANNUAL STATUS UPDATE.—Not later than one year after the date of enactment of this Act, the Secretary shall make available on the Internet website of the Department of Health and Human Services, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, an update on the progress, including expected progress in the subsequent year, in achieving the goals described in the national milestones. Such update shall include the progress made in the first year or since the previous report, as applicable, in meeting each indicator or metric of the national milestones.

(e) STUDY ON PRESCRIBING LIMITS.

Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Attorney General of the United States, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of Federal and State laws and regulations that limit the length, quantity, or frequency of opioid prescriptions. Such report shall address—

(1) the impact of such limits on:
(A) the incidence and prevalence of over-dose related to illicit opioids;
(B) the prevalence of opioid use disorders;
(C) the medical and appropriate use of, and access to, opioids, including any impact on travel expenses and pain management outcomes for patients, whether such limits are associated with increased rates of negative health outcomes, including suicide, and whether the impact of such limits differs based on the clinical indication for which opioids are prescribed;
(2) whether such limits lead to a significant increase in burden for prescribers of...
opioids or prescribers of treatments for opioid use disorder, including any impact on patient access to treatment, and whether any such burden is mitigated by any factors such as electronic prescribing or telemedicine; and
(3) the impact of such limits on diversion or misuse of any controlled substance in schedule II, III, or IV of section 205(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

Subtitle D—Ensuring Access to Quality Sober Living
SEC. 7031. NATIONAL RECOVERY HOUSING BEST PRACTICES.
Part D of title V of the Public Health Service Act (42 U.S.C. 200d et seq.) is amended by adding at the end the following new section:

"SEC. 550. NATIONAL RECOVERY HOUSING BEST PRACTICES.
"(a) BEST PRACTICES FOR OPERATING RECOVERY HOUSING.—
"(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities described in paragraph (2), shall identify or facilitate the development of best practices, which may include model laws for implementing suggested minimum standards, for operating recovery housing.
"(2) CONSULTATION.—In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate—
"(A) relevant divisions of the Department of Housing and Urban Development, including the Substance Abuse and Mental Health Services Administration, the Office of Inspector General, the Indian Health Service, and the Centers for Medicare & Medicaid Services;
"(B) the Secretary of Housing and Urban Development;
"(C) tribal leaders or commissioners, as applicable, of State health departments, tribal health departments, State Medicaid programs, and State insurance agencies;
"(D) representatives of health insurance issuers;
"(E) national accrediting entities and reputable providers of, and analysts of, recovery housing services, including Indian tribes, tribal organizations, and tribally designated housing entities that provide recovery housing services, as applicable;
"(F) individuals with a history of substance use disorder; and
"(G) other stakeholders identified by the Secretary.

"(b) IDENTIFICATION OF FRAUDULENT RECOVERY HOUSING OPERATORS.—
"(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities described in paragraph (2), shall identify or facilitate the development of common indicators that could be used to identify potentially fraudulent recovery housing operators.

"(2) RULE OF CONSTRUCTION.—In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate, the individuals and entities specified in subsection (a), and the Attorney General of the United States.

"(3) REQUIREMENTS.—
"(A) PRACTICES FOR IDENTIFICATION AND REPORTING.—In carrying out the activities described in paragraph (1), the Secretary shall consider how law enforcement, public and private payers, and the public can best identify and report fraudulent recovery housing operators.

"(B) FACTORS TO BE CONSIDERED.—In carrying out the activities described in paragraph (1), the Secretary shall identify or develop indicators, which may include indicators related to—
"(i) unusual billing practices;
"(ii) frequent requests for stay extensions or other services; and
"(iii) excessive levels of drug testing (in terms of cost or frequency); and
"(iv) unusually high levels of recidivism.

"(c) DISSEMINATION.—The Secretary shall, as appropriate, disseminate the best practices identified or developed under subsection (a) and the common indicators identified or developed under subsection (b) to—
"(1) State agencies, which may include the provision of technical assistance to State agencies, to adopt or implement such best practices;
"(2) Indian tribes, tribal organizations, and tribally designated housing entities;
"(3) the Attorney General of the United States;
"(4) the Secretary of Labor;
"(5) the Secretary of Housing and Urban Development;
"(6) State and local law enforcement agencies;
"(7) health insurance issuers;
"(8) recovery housing entities; and
"(9) the public.

"(d) REQUIREMENTS.—In carrying out the activities described in subsections (a) and (b), the Secretary, in consultation with appropriate individuals and entities described in subsections (a)(2) and (b)(2), shall consider whether to support recovery and prevent relapse, recidivism, or overdose (including overdose death), including by improving access and adherence to treatment, including medication-assisted treatment.

"(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide the Secretary with the authority to require States to adhere to minimum standards in the State oversight of recovery housing.

"(f) DEFINITIONS.—In this section—
"(1) the term 'treatment' means a shared living environment free from alcohol and illicit drug use and centered on peer support and connection to services that promote sustained recovery from substance use disorders.
"(2) The terms 'Indian tribe' and 'tribal organization' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

"(3) The term 'tribally designated housing entity' has the meaning given that term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4181 et seq.).

"(4) The Indian Health Service, the Indian Housing Policy Office, the Office of Tribal Justice, the Office of Healthy Homes and Environmental Control, and the Office of Public Health.

"(5) The Secretary shall ensure that recommendations and actions taken by the Secretary with the authority to require States to adhere to minimum standards in the State oversight of recovery housing, and recommendations and actions taken by States to adhere to minimum standards in the State oversight of recovery housing, are disseminated to tribal organizations.

"(f) REQUIREMENTS.—In carrying out the activities described in subsections (a) and (b), the Secretary, in consultation with appropriate stakeholders, shall—
"(1) make recommendations to the Director of NIH about a patient's opioid use disorder history and the symptoms and causes of pain, in- cluding the identification of relevant biomarkers and screening models and the epide- mical importance of acute and chronic pain, and information about the potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder; and
"(2) require clear and visible reporting about a patient's opioid use disorder history or devices approved or cleared by the Food and Drug Administration; and
"(B) in subparagraph (B), by striking "—on the symptoms and causes of pain;" and inserting the following:
"(i) the symptoms and causes of pain, in- cluding the identification of relevant bio- markers and screening models and the epide- mical importance of acute and chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration; and
"(ii) the diagnosis, prevention, treatment, and management of acute and chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration; and
"(iii) risk factors for, and early warning signs of, substance use disorders in popu- lations with acute and chronic pain; and
"(C) by striking subparagraphs (C) through (E) and inserting the following:
"(C) make recommendations to the Direc- tor of NIH about a patient's opioid use disorder history and the symptoms and causes of pain, in- cluding the identification of relevant biomarkers and screening models and the epide- mical importance of acute and chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration.

Subtitle F—Jessie’s Law
SEC. 7031. INCLUSION OF OPIOID ADDICTION HISTO- RY IN PATIENT RECORDS.
"(a) BEST PRACTICES.—
"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary"), in consultation with appropriate stakeholders, shall—
"(i) identify a patient's history of opioid use disorder, an expert in electronic health records, an expert in the confidentiality of patient health information and records, and a health care provider, shall cooperate to facili- tate the development of best practices regard- ing
"(A) the circumstances under which informa- tion that a patient has provided to a health care provider regarding such patient’s history of opioid use disorder should, only at the patient’s request, be prominently dis- played in the medical record (including electronic health records) of such patient; and
"(B) what constitutes the patient’s request for the purpose described in subparagraph (A); and
"(C) the process and methods by which the information should be so displayed.

"(2) DISSEMINATION.—The Secretary shall disseminate the best practices developed under paragraph (1) to health care providers and State agencies.

"(b) REQUIREMENTS.—In identifying or facili- tating the development of best practices under subsection (a), as applicable, the Secretary, in consultation with appropriate stakeholders, shall consider the following:
"(1) The potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder; and
"(2) The benefits of displaying information about a patient’s opioid use disorder history
in a manner similar to other potentially lethal medical concerns, including drug allergies and contraindications.

(3) The importance of prominently displaying information about a patient's substance use disorder when a physician or medical professional is prescribing medication, including methods for avoiding alert fatigue in providers.

(4) The importance of a variety of appropriate medical professionals, including physicians, nurses, and pharmacists, having access to information described in this section when prescribing or dispensing opioid medication, consistent with Federal and State laws and regulations.

(5) The importance of protecting patient privacy, including the requirements related to consent for disclosure of substance use disorder information under all applicable laws and regulations.

(6) All applicable Federal and State laws and regulations.

SEC. 7052. COMMUNICATION WITH FAMILIES AND HEALTH PROFESSIONALS DURING EMERGENCIES.

(a) PROMOTING AWARENESS OF AUTHORIZED DISCLOSURES DURING EMERGENCIES.—The Secretary of Health and Human Services shall—

(1) periodically review and update the model program and materials identified or developed under subsection (a); and

(2) disseminate such updated programs and materials to the individuals described in subsection (a)(1).

(b) INPUT OF CERTAIN ENTITIES.—In identifying, reviewing, or updating the model programs and materials, the Secretary shall solicit the input of relevant stakeholders.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

(1) $1,000,000 for fiscal year 2019;

(2) $2,000,000 for each of fiscal years 2020 and 2021; and

(3) $3,000,000 for each of fiscal years 2022 and 2023.

Subtitle G—Protecting Pregnant Women and Infants.

SEC. 7061. REPORT ON ADDRESSING MATER NAL AND INFANT HEALTH IN THE OPIOID CRISIS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Centers for Disease Control and Prevention, the National Institutes of Health, the Indian Health Service, and the Substance Abuse and Mental Health Services Administration, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes—

(1) information on opioid, non-opioid, and non-pharmacologic pain management practices during pregnancy and after pregnancy;

(2) recommendations for increasing public awareness and education about substance use disorders, including opioid use disorders, during and after pregnancy, including available treatment resources in urban and rural areas;

(3) recommendations to prevent, identify, and reduce substance use disorders, including opioid use disorders, that affect women and improve care for pregnant women with substance use disorders and their infants; and

(4) an identification of areas in need of further research, such as acute and chronic pain management during and after pregnancy.

(b) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for purposes of carrying out subsection (a).

SEC. 7062. PROTECTING MOMS AND INFANTS.

(a) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the ‘‘Secretary’’) shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, and make available to the public on the Internet website of the Department of Health and Human Services, a report regarding the implementation of the recommendations in the strategy for substance use disorders, including neonatal abstinence syndrome, as developed pursuant to section 2 of the Protecting Our Infants Act of 2015 (Public Law 114-91).

(A) an update on the implementation of the recommendations in the strategy, including information regarding the agencies involved in the implementation; and

(B) information on additional funding or authority the Secretary requires, if any, to implement the strategy, which may include the Secretary’s authority to coordinate implementation of such strategy across the Department of Health and Human Services.

(2) PERIODIC UPDATES.—The Secretary shall periodically update the report under paragraph (1).

(b) RESIDENTIAL TREATMENT PROGRAMS FOR SUBSTANCE ABUSE AND MISUSE OF WOMEN.—Section 508(b) of the Public Health Service Act (42 U.S.C. 290bb–21(a)) is amended by striking ‘‘$16,900,000 for each of fiscal years 2017 through 2021’’ and inserting ‘‘$16,900,000 for each of fiscal years 2019 through 2023’’.

SEC. 7063. EARLY INTERVENTIONS FOR PREGNANT WOMEN AND INFANTS.

(a) DEVELOPMENT OF EDUCATIONAL MATERIALS FOR CENTER BY SUBSTANCE ABUSE PREVENTION.—Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is amended—

(1) in paragraph (13), by striking ‘‘and’’ and inserting ‘‘and’’;

(2) in paragraph (14), by striking the period at the end and inserting ‘‘;’’; and

(3) by adding at the end the following:

‘‘(15) in consultation with relevant stakeholders and in collaboration with the Directors of the Centers for Disease Control and Prevention, develop educational materials for clinicians to use with pregnant women for shared decision making regarding pain management and the prevention of substance use disorders during pregnancy.’’.

(b) GUIDELINES AND RECOMMENDATIONS BY CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is amended—

(1) in paragraph (13), by striking ‘‘and’’ at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

‘‘(15) in cooperation with the Secretary, implement and disseminate, as appropriate, the recommendations in the report entitled ‘Protecting Our Infants Act: Final Strategy’ issued by the Department of Health and Human Services in 2017; and’’.

(c) SUPPORT OF PARTNERSHIPS BY CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 509(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is further amended by adding at the end the following:

‘‘(16) in cooperation with relevant stakeholders, and through public-private partnerships, encourage education about substance use disorders for pregnant women and health care providers who treat pregnant women and babies.’’.

SEC. 7064. PRENATAL AND POSTNATAL HEALTH.

Section 317L of the Public Health Service Act (42 U.S.C. 247b–13) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

‘‘(1) to collect, analyze, and make available data on prenatal smoking and alcohol and other substance abuse and misuse, including—

‘‘(A) data on—

(i) the incidence, prevalence, and implications of such activities; and

(ii) the incidence and prevalence of implications and outcomes, including neonatal abstinence syndrome, and child health outcomes associated with such activities; and

(B) additional information or data, as appropriate, on family history, medication exposures during pregnancy, demographic information, such as race, ethnicity,
geographic location, and family history, and other relevant information, to inform such analysis:"

(B) in paragraph (2),

(i) by striking "prevention of" and inserting "prevention and long-term outcomes associated with"; and

(ii) by striking "illegal drug use and" and inserting "substance abuse and misuse; and"

(C) in paragraph (3), by striking "and cessation programs; and" and inserting "treatment, and cessation programs;";

(D) in paragraph (4), by striking "illegal drug use," and inserting "other substance abuse and misuse; and"; and

(E) by adding at the end the following:

"(5) an analysis on the data described in paragraph (1), including analysis of

(A) long-term outcomes of children affected by neonatal abstinence syndrome;

(B) health outcomes associated with perinatal smoking, alcohol, and substance abuse and misuse; and

(C) relevant studies, evaluations, or information the Secretary determines to be appropriate.");

(2) in subsection (b), by inserting "tribal entities based on tribal governments;"

(3) by redesignating subsection (c) as subsection (d);

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

"(c) COORDINATING ACTIVITIES.—To carry out this section, the Secretary may—

(1) provide technical and consultative assistance to entities receiving grants under subsection (b);

(2) ensure a pathway for data sharing between States, tribal entities, and the Centers for Disease Control and Prevention;

(3) ensure data collection under this section is consistent with applicable State, Federal, and Tribal privacy laws; and

(4) by the National Coordinator for Health Information Technology, as appropriate, to assist States and Tribes in implementing systems that use standards recognized by such National Coordinator, as such recognized standards are available, in order to facilitate interoperability between such systems and health information technology, including certified health information technology:"

and

(5) in subsection (d), as so redesignated, by striking "2001" through "2005" and inserting "2019 through 2023".

SEC. 7065. PLANS OF SAFE CARE.

(a) In General.—Section 106(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(a)) is amended by adding at the end the following:

"(7) GRANTS TO STATES TO IMPROVE AND COORDINATE THEIR RESPONSE TO ENSURE THE SAFETY, PERMANENCY, AND WELL-BEING OF INFANTS AFFECTED BY SUBSTANCE USE—"

"(A) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to States for the purpose of assisting child welfare agencies, social services agencies, substance use disorder treatment agencies, hospitals with labor and delivery units, medical staff, public and mental health agencies, and maternal and child health agencies to facilitate collaboration in developing, updating, implementing, and monitoring plans of safe care described in section 106(b)(2)(B)(iii); Section 112(a)(2) shall not apply to the program authorized under this paragraph.

(B) DISTRIBUTION OF FUNDS.—

(1) OF THE amounts made available to carry out subparagraph (A), the Secretary shall reserve—

(I) no more than 3 percent for the purposes described in subparagraph (G); and

(II) up to 3 percent for grants to Indian Tribes and tribal organizations to address the needs of infants born with, and identified as being affected by, substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder, the Secretary may, to the extent practicable, shall be consistent with the uses of funds described under subparagraph (D).

(1) AMOUNT AVAILABLE.—The Secretary shall allot the amount made available to carry out subparagraph (A) (which remains after application of clause (ii) (1)) for such fiscal year to a grant, in an amount equal to the sum of—

(I) $500,000; and

(II) an amount that bears the same relationship to any funds made available to carry out subparagraph (A) that remains after application of clause (ii) (1) with respect to such fiscal year as the number of live births in the State in the previous calendar year bears to the number of live births in all States in such year.

(2) RATABLE REDUCTION.—If the amount made available to carry out subparagraph (A) is insufficient to satisfy the requirements of clause (i), the Secretary shall ratable reduce each allotment to a State.

(C) AGENCY DEVELOPMENT.—(1) The Secretary shall require a grant under this paragraph shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall include—

(I) a description of—

(a) the impact of substance use disorder in such State, including with respect to the substance or class of substances with the highest incidence of abuse in the previous year in such State, including—

(aa) the prevalence of substance use disorder in such State;

(bb) the aggregate rate of births in the State of infants affected by substance abuse or withdrawal symptoms or a fetal alcohol spectrum disorder (as determined by hospitals, insurance claims, claims submitted to the Medicaid program, or other records), if not available and to the extent practicable; and

(cc) the number of infants identified, for whom a plan of safe care was developed, and for whom a referral was made for appropriate services, as reported under section 106(d)(18);

(II) the challenges the State faces in developing, implementing, and monitoring plans of safe care in accordance with section 106(b)(2)(B) in such State;

(III) an assurance that the State will comply with requirements under clauses (ii) and (iii) of section 106(b)(2)(B); and

(III) an assurance that the State will comply with requirements to refer a child identified as being exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) and comprehensive early childhood development services and programs such as Head Start programs;

(2) a description of how the State plans to use funds for activities described in subparagraphs (D) (for the purpose of ensuring State compliance with requirements under clauses (ii) and (iii) of section 106(b)(2)(B); and

(3) an assurance that the State will comply with requirements to refer children identified as being exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(D) USES OF FUNDS.—Funds awarded to a State under this paragraph may be used for the following activities, which may be carried out by the State directly, or through grants or subgrants, contracts, or cooperative agreements:

(1) improving State and local systems with respect to the development and implementation of plans of safe care, which—

(I) shall include parent and caregiver engagement, as required under section 106(b)(2)(B)(iii)(I), regarding available treatment and service options, which may include programs for pregnant, perinatal, and postnatal women; and

(ii) may include activities such as—

(aa) developing policies, procedures, or protocols for the administration or development of evidence-based and validated screening tools for infants who may be affected by prenatal drug use, withdrawal symptoms or a fetal alcohol spectrum disorder and pregnant, perinatal, and postnatal women whose infants may be affected by substance use; or

(ba) developing policies, procedures, or protocols for the administration or development of evidence-based and validated screening tools for infants who may be affected by prenatal substance use and withdrawal symptoms or a fetal alcohol spectrum disorder;

(bb) improving assessments used to determine the needs of the infant and family;

(cc) improving ongoing case management services;

(dd) improving access to treatment services, which may be prior to the pregnant woman's delivery date; and

(ee) keeping families safely together when it is in the best interest of the child.

(2) improving policies, procedures, or protocols in consultation and coordination with health professionals, public and private health facilities, and substance use disorder treatment agencies to ensure that

(i) pregnant women in receipt of child protective services is made in a timely manner, as required under section 106(b)(2)(B)(ii);

(ii) a plan of safe care is in place, in accordance with section 106(b)(2)(B)(ii), before the infant is discharged from the birth or health care facility; and

(iii) a plan of safe care is in place, in accordance with section 106(b)(2)(B)(ii), before the infant is discharged from the birth or health care facility; and

(iv) an assessment of the treatment and other services and programs available in the State to effectively carry out any plan of safe care developed, including identification of needed treatment, and other services and programs to ensure the well-being of young children and their families affected by substance use disorder, such as programs carried out under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) and comprehensive early childhood development services and programs such as Head Start programs;
“(III) such health and related agency professionals are trained on how to follow such protocols and are aware of the supports that may be provided under a plan of safe care.

“(IV) both professionals and health system leaders, child welfare workers, substance use disorder treatment agencies, and other related professionals such as home visiting providers and law enforcement in relevant topics including—

“(I) State mandatory reporting laws established under section 106(b)(2)(B)(i) and the referral process requirements for notification to child protective services when child abuse or neglect reporting is not mandated;

“(II) the co-occurrence of pregnancy and substance use disorder, including by clarifying key terms;

“(III) the clinical guidance about serving infants, pregnant women, and perinatal and postnatal women whose infants may be affected by substance use, withdrawal symptoms, or a fetal alcohol spectrum disorder, that includes meaningful engagement with and takes into account the unique needs of each family and addresses differences between medically supervised inpatient and outpatient treatment programs, early childhood education programs, maternal and child health and early intervention programs (including home visiting providers), peer-to-peer recovery programs such as parent mentoring programs, and housing agencies) to facilitate the implementation of, and comply with, section 106(b)(2) and clause (i) of this subparagraph, in areas which may include—

“(I) developing a comprehensive, multi-disciplinary assessment and intervention process for infants, pregnant women, and their families who are affected by substance use disorder, withdrawal symptoms, or a fetal alcohol spectrum disorder, that includes meaningful engagement with and takes into account the unique needs of each family and addresses differences between medically supervised inpatient and outpatient treatment programs, including for the treatment of substance use disorder, and substance use disorder;

“(II) the delivery of treatment approaches for serving infants, pregnant women, and perinatal and postnatal women whose infants may be affected by substance use, withdrawal symptoms, or a fetal alcohol spectrum disorder, are designed to, where appropriate, keep infants with their mothers during both inpatient and outpatient treatment; and

“(III) increasing access to all evidence-based medication-assisted treatment approved by the Food and Drug Administration, behavioral therapy, and counseling services for the treatment of substance use disorders, as appropriate.

“(V) Developing and updating systems of technology for improved data collection and monitoring under section 106(b)(2)(B)(i), including existing electronic medical records, to measure the outcomes achieved through the plans of safe care, including monitoring systems to meet the requirements of this Act and submission of performance measures.

“(E) REPORTING.—Each State that receives funds under this paragraph, for each year such funds are received, shall submit a report to the Secretary, disaggregated by geographic location, economic status, and major racial and ethnic groups, except that such disaggregation shall not be required if the results would reveal personally identifiable information on, with respect to infants identified under section 106(b)(2)(B)(i)—

“(I) the number who experienced removal associated with parental substance use;

“(II) the number of children who were reunified with parents, and the length of time between such removal and reunification;

“(III) the number who are referred to community providers without a child protection case;

“(IV) the number who receive services while in the care of their birth parents;

“(V) the number who receive post-reunification services within 1 year after a reunification has occurred; and

“(VI) the number who experienced a return to out-of-home care within 1 year after reunification.

“(F) SECRETARY’S REPORT TO CONGRESS.—The Secretary shall submit an annual report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Appropriations of the Senate and the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives that includes the information described in subparagraph (E) and recommendations or observations on the challenges, successes, and lessons derived from implementation of the grant program.

“(1) technical assistance, including programs of in-depth technical assistance, to additional States, territories, and Indian Tribes and tribal organizations in accordance with the substance-exposed infant initiative developed by the National Center on Substance Abuse and Child Welfare;

“(2) guidance on the requirements of this Act with respect to infants born with and identified as being affected by substance use or withdrawal symptoms or fetal alcohol spectrum disorder, as described in clauses (i) and (ii) of section 106(b)(2)(B), including—

“(I) enhancing States’ understanding of requirements and flexibilities under the law, including by clarifying key terms;

“(II) addressing identified challenges with developing, implementing, and monitoring plans of safe care, including those reported under subparagraph (C)(iv)(I);

“(III) disseminating best practices on implementation of plans of safe care, on such topics as differential response, collaboration and coordination, and identification and delivery of services for different populations, while recognizing needs of different populations and varying community approaches across States; and

“(IV) helping States improve the long-term safety and well-being of young children and their families;

“(V) supporting State efforts to develop information technology systems to manage plans of safe care; and

“(VI) preparing the Secretary’s report to Congress described in subparagraph (F).

“(G) ASSISTING STATES’ IMPLEMENTATION.—The Secretary shall use the amount reserved under section 106(b)(2) and clause (i) of this subparagraph to provide written guidance and technical assistance to support States in complying with and implementing this paragraph, which shall include—

“(1) developing, disseminating, and implementing models of service delivery that are responsive to the unique needs of each family and address differences between medically supervised inpatient and outpatient treatment programs, including for the treatment of substance use disorder, and substance use disorder;

“(2) developing and implementing workforce plans to address the needs of those affected by substance use disorder and substance use disorder treatment agencies, and the length of time between such removal and reunification;

“(3) the number who are referred to community providers without a child protection case;

“(4) the number who receive services while in the care of their birth parents;

“(5) the number who receive post-reunification services within 1 year after a reunification has occurred; and

“(6) the number who experienced a return to out-of-home care within 1 year after reunification.

“(H) SUNSET.—The authority under this section shall sunset on September 30, 2019.
455(m), or 460 of the Higher Education Act of 1965.

(1) liquidated damages formula.—The Secretary may establish a liquidated damages formula to be used in the event of a breach of an agreement entered into under subsection (a).

(2) limitation.—The failure by an individual to complete the full period of service obligated pursuant to such an agreement, taken as a whole, shall not constitute a breach of the agreement, so long as the individual completed in good faith the years of service for which payments were made to the individual.

(g) additional criteria.—The Secretary—

(1) may establish such criteria and rules to carry out this section as the Secretary determines are needed and in addition to the criteria and rules specified in this section; and

(2) shall give notice to the committees specified in subsection (h) of any criteria and rules so established.

(h) report to Congress.—Not later than 5 years after the date of enactment of this section, and every other year thereafter, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

(1) the number and location of borrowers who have qualified for loan repayments under this section; and

(2) the impact of this section on the availability of substance use disorder treatment employees nationally and in shortage areas and counties described in subsection (d).

(2) Obligated Service.—

(a) In General.—Any service described in subsection (a) that a participant provides may count towards such participant’s completion of any obligated service requirements under the Scholarship Program or the Loan Repayment Program, subject to any limitation imposed under paragraph (2).

(b) Limitation.—The Secretary may impose a limitation on the number of hours of service described in subsection (a) that a participant may credit towards completing obligated service requirements, provided that the limitation allows a member to credit service described in subsection (a) for not less than 50 percent of the total hours required to complete such obligated service requirements.

(c) Rule of Construction.—The authorization under subsection (a) shall not be construed to alter any other provision of this subpart or subpart II.

appliable service.

Section 756 of the Indian Health Care Improvement Act), and other public and private entities (as defined in section 4 of the Indian Health Care Improvement Act), and other public and nonprofit private entities; and

(2) in subsection (a), by inserting “where the primary intent and function of the service described in paragraph (1) is to provide evidence-based pain management, including the use of non-addictive medical products and non-pharmacologic treatments intended to treat pain; and

the purposes of this section to encourage individuals who experience a non-fatal overdose to seek treatment for substance use disorder and to support coordination and continuation of care; and

(3) coordination and continuation of care, including, as appropriate, through referrals, of individuals after a drug overdose; and

(4) the provision or prescribing of overdose reversal medication, as appropriate.

(b) Grant Establishment and Participation.—

(1) in general.—The Secretary shall award grants on a competitive basis to eligible entities to support implementation of voluntary programs for care and treatment of individuals after a drug overdose, as appropriate, which may include implementation of the best practices described in subsection (a).

(2) Eligible Entity.—In this section, the term “eligible entity” means—

(A) a State substance abuse agency; or

(B) an Indian Tribe or tribal organization; or

(C) an entity that offers treatment or other services for individuals in response to, or following, drug overdoses or a drug overdose, such as an emergency department, in consultation with a State substance abuse agency.

(3) application.—An eligible entity desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require that includes—

(F) by striking paragraph (5) and inserting the following:

“(5) recent findings, developments, and advancements in pain care research and the use of pain care that can include non-addictive medical products and non-pharmacologic treatments intended to treat pain; and

(6) the dangers of opioid abuse and misuse, detection of early warning signs of opioid use disorders (which may include best practices related to screening for opioid use disorders, training in intervention and referral, and treatment), and safe disposal options for prescription medications (including such options provided by law enforcement or other innovative deactivation mechanisms).”;

(3) in subsection (d), by inserting “prevention,” after “diagnosis,” and

(4) in subsection (e), by striking “2010 through 2012” and inserting “2019 through 2023.”

(b) Mental and Behavioral Health Education and Training Program.—Section 756 of the Public Health Service Act (42 U.S.C. 294e–1) is amended—

(A) in paragraph (1), by inserting “trauma,” after “focus on child and adolescent mental health”; and

(b) in paragraphs (2) and (3), by inserting “trauma-informed care” before “substance use disorder prevention and treatment services”; and

(2) in subsection (f), by striking “2018 through 2022” and inserting “2019 through 2023.”

Subtitle I—Preventing Overdoses While in Emergency Rooms

Section 7081. Program to Support Coordination and Continuation of Care for Drug Overdose Patients.

(a) in General.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall identify or facilitate the development of best practices for—

(1) emergency treatment of known or suspected drug overdose; (2) the use of recovery coaches, as appropriate, to encourage individuals who experience a non-fatal overdose to seek treatment for substance use disorder and to support coordination and continuation of care; (3) coordination and continuation of care, including, as appropriate, through referrals, of individuals after a drug overdose; and

(4) the provision or prescribing of overdose reversal medication, as appropriate.

(b) Grant Establishment and Participation.—

(1) in general.—The Secretary shall award grants on a competitive basis to eligible entities to support implementation of voluntary programs for care and treatment of individuals after a drug overdose, as appropriate, which may include implementation of the best practices described in subsection (a).

(2) Eligible Entity.—In this section, the term “eligible entity” means—

(A) a State substance abuse agency; (B) an Indian Tribe or tribal organization; or

(C) an entity that offers treatment or other services for individuals in response to, or following, drug overdoses or a drug overdose, such as an emergency department, in consultation with a State substance abuse agency.

(3) Application.—An eligible entity desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require that includes—

(F) by striking paragraph (5) and inserting the following:

“(5) recent findings, developments, and advancements in pain care research and the use of pain care that can include non-addictive medical products and non-pharmacologic treatments intended to treat pain; and

(6) the dangers of opioid abuse and misuse, detection of early warning signs of opioid use disorders (which may include best practices related to screening for opioid use disorders, training in intervention and referral, and treatment), and safe disposal options for prescription medications (including such options provided by law enforcement or other innovative deactivation mechanisms).”;
(A) evidence that such eligible entity carries out, or is capable of contracting and coordinating with other community entities to carry out, the activities described in paragraphs (4)-(8); and
(B) evidence that such eligible entity will work with a recovery community organization to recruit, train, hire, mentor, and support recovery coaches and fulfill the requirements described in paragraph (4)(A); and
(C) such additional information as the Secretary may require.
(4) USE OF GRANT FUNDS.—An eligible entity awarded a grant under this section shall use such funds to—
(A) hire or utilize recovery coaches to help support recovery, including by—
(i) connecting patients to a continuum of care services as—
(I) treatment and recovery support programs;
(II) programs that provide non-clinical recovery support services;
(III) peer support networks;
(IV) recovery community organizations;
(V) health care providers, including physicians, dentists, other providers of behavioral health and primary care;
(VI) education and training providers;
(VII) employers;
(VIII) faith-based organizations; and
(IX) child welfare agencies;
(ii) providing education on overdose prevention and overdose reversal to patients and families;
(iii) providing follow-up services for patients after an overdose to ensure continued recovery and connection to support services;
(iv) collecting and evaluating outcome data for patients receiving recovery coaching services; and
(v) providing other services the Secretary determines necessary to help ensure continued connection with recovery support services, including culturally appropriate services, as applicable.
(B) establish policies and procedures, pursuant to Federal and State law, that address the provision of overdose reversal medication, the administration of all drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) to treat substance use disorders or reverse overdose, pursuant to Federal and State law;
(C) develop and implement a process for recipients of grants under subsection (a) or (b) to share evidence-based and best practices on alternatives to opioids for pain management, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.
(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2019 through 2023.

Subtitle J—Alternatives to Opioids in the Emergency Department
SEC. 7091. EMERGENCY DEPARTMENT ALTERNATIVES TO OPIOIDS DEMONSTRATION PROGRAM
(a) DEMONSTRATION GRANTS.—
(1) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary") shall carry out a demonstration program for purposes of awarding grants to hospitals and emergency departments, including freestanding emergency departments, to develop, implement, enhance, and evaluate alternatives to opioids for pain management in such settings.
(2) ELIGIBILITY.—To be eligible to receive a grant under paragraph (1), a hospital or emergency department shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.
(b) GRANT DISTRIBUTION.—In awarding grants under this section, the Secretary shall seek to ensure geographical distribution among grant recipients.
(c) USE OF FUNDS.—Grants under paragraph (1) shall be used to—
(1) target treatment approaches for painful conditions frequently treated in such settings;
(2) train providers and other hospital personnel on protocols or best practices related to the use and prescription of opioids and alternatives to opioids for pain management in the emergency department; and
(3) develop or continue strategies to provide alternatives to opioids, as appropriate.
(2) RECOVERY COACH.—the term "recovery coach" means an individual—
(A) with knowledge of, or experience with, recovery from a substance use disorder; and
(B) who has completed training from, and is determined to be in good standing by, a recovery services organization capable of conducting recovery training and making such determination.
(3) RECOVERY COMMUNITY ORGANIZATION.—The term "recovery community organization" has the meaning given such term in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee–2(a)).
(d) REPORTING REQUIREMENTS.—Each eligible entity awarded a grant under this section shall submit to the Secretary an annual report for each year for which the entity has received such grant that includes information on—
(A) the number of individuals treated by the entity for non-fatal overdoses, including the number of non-fatal overdoses where overdose reversal medication was administered;
(B) the number of individuals administered medication-assisted treatment by the entity;
(C) the number of individuals referred by the entity to other treatment facilities after a non-fatal overdose, the types of other treatment facilities to which such individuals were admitted to such other facilities pursuant to such referrals; and
(D) the frequency and number of patients with treatment admissions for non-fatal overdoses and evidence of relapse related to substance use disorder.
(2) REPORT BY SECRETARY.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes an evaluation of the effectiveness of the demonstration program carried out under this section with respect to long term health outcomes of the population of individuals who have experienced a drug overdose, the percentage of those individuals referred or offered to treatment by grantees, and the frequency and number of patients who experienced relapse, were readmitted for treatment, or experienced another overdose.
(e) PRIVACY.—The requirements of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.
(3) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to applications that meet any or all of the following criteria:
(1) The eligible entity is a critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1))), a low volume hospital (as defined in section 1886(d)(12)(C)(i) of such Act (42 U.S.C. 1395ww(d)(12)(C)(i))), or a sole community hospital (as defined in section 1886(d)(8)(D)(iii) of such Act (42 U.S.C. 1395ww(d)(8)(D)(iii))), or a hospital that receives disproportionate share hospital payments under section 1886(d)(5)(F) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F)).
(2) The eligible entity is located in a State with an age-adjusted rate of drug overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention, or under the jurisdiction of an Indian Tribe with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined through appropriate mechanisms as determined by the Secretary in consultation with Indian Tribes.
(3) The eligible entity demonstrates that recovery coaches will be placed in both health care settings and community settings.
(4) PERIOD OF GRANT.—A grant awarded to an eligible entity under this section shall be for a period of not more than 5 years.
(5) DEFINITIONS.—In this section:
(1) INDIAN TRIBE; TRIBAL ORGANIZATION.—the term "Indian Tribe" and "tribal organization" have the meaning given the terms "Indian tribe" and "tribal organization" in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
(2) RECOVERY COACH.—the term "recovery coach" means an individual—
(A) with knowledge of, or experience with, recovery from a substance use disorder; and
(B) who has completed training from, and is determined to be in good standing by, a recovery services organization capable of conducting recovery training and making such determination.
(3) RECOVERY COMMUNITY ORGANIZATION.—The term "recovery community organization" has the meaning given such term in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee–2(a)).
(1) utilizing information from recipients of a grant under subsection (a) or (b) that have successfully implemented alternatives to opioids programs;
(2) administering or facilitating the development of best practices on the use of alternatives to opioids, which may include pain-management strategies that involve non-adictive medications; and specific information on the use of alternatives to opioids that target common pain conditions and include certain patient populations, such as pregnant women and children; and
(3) disseminating information on the use of alternatives to opioids to providers in acute care settings, which may include emergency departments, outpatient clinics, critical access hospitals, Federally qualified health centers, Indian Health Service health facilities, and tribal hospitals.

(e) REPORT TO THE SECRETARY.—Each recipient of a grant under this section shall submit to the Secretary (during the period of such grant and on the program funded through the grant. These reports shall include, in accordance with all applicable State and Federal privacy laws—
(1) the number of applications received and the number funded;
(2) data on patients who were eventually prescribed opioids after alternative pain management protocols and treatments were utilized; and
(3) any other information the Secretary determines appropriate.

(f) REPORT TO CONGRESS.—Not later than 1 year after completion of the demonstration program under this section, the Secretary shall submit to the Congress on the results of the demonstration program and include in the report—
(1) the number of applications received and the number funded;
(2) a summary of the reports described in subsection (e), including data that allows for comparison of programs; and
(3) recommendations for broader implementation of pain management strategies that encourage the use of alternatives to opioids in hospitals, emergency departments, and other acute care settings;

(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $10,000,000 for each of fiscal years 2019 through 2023.

Subtitle K—Treatment, Education, and Community Help To Combat Addiction

SEC. 7101. ESTABLISHMENT OF REGIONAL CENTERS OF EXCELLENCE IN SUBSTANCE USE DISORDER EDUCATION.

(a) In General.—The Secretary, in consultation with appropriate agencies, shall award cooperative agreements to eligible entities for the designation of such entities as Regional Centers of Excellence in Substance Use Disorder Education for purposes of improving health professional training re-source with respect to substance use disorder prevention, treatment, and recovery.

(b) ELIGIBILITY.—To be eligible to receive a cooperative agreement under subsection (a), an entity eligible for a cooperative agreement—
(1) be an accredited entity that offers education to students in various health professions, which may include—
(A) a teaching hospital;
(B) a medical school;
(C) a certified behavioral health clinic; or
(D) any other health professions school, school of public health, or Cooperative Extension Program at institutions of higher education, as defined in section 101 of the Higher Education Act of 1965, engaged in the prevention, treatment, or recovery of substance use disorders;

(2) demonstrate community engagement and partnerships with community stakeholders, including entities that train health professionals, mental health counselors, social workers, peer recovery specialists, substance use treatment programs, community health centers, Indian Health Service, Title V, other community health clinics, research institutions, and law enforcement; and

(3) submit to the Secretary an application containing—
(A) a description of the program at such time, and in such manner, as the Secretary may require.

(c) ACTIVITIES.—An entity receiving an award under this section shall develop, evaluate, and distribute evidence-based resources regarding the prevention and treatment of, and recovery from, substance use disorders, which resources may include information on—
(1) the neurology and pathology of substance use disorders;
(2) advancements in the treatment of substance use disorders;
(3) techniques and best practices to support recovery from substance use disorders;
(4) strategies for the prevention and treatment of, and recovery from substance use disorders across patient populations; and
(5) other topic areas that are relevant to the objective of the award.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding cooperative agreements under subsection (a), the Secretary shall take into account regional differences among eligible entities and shall make an effort to ensure geographic distribution.

(e) EVALUATION.—The Secretary shall evaluate each project carried out by an entity receiving an award under this section and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

(f) FUNDING.—There is authorized to be appropriated to carry out this section up to $4,000,000 for each of fiscal years 2019 through 2023.

SEC. 7102. YOUTH PREVENTION AND RECOVERY INITIATIVE.

(a) SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN, ADOLESCENTS, AND YOUTH.—Section 514 of the Public Health Service Act (42 U.S.C. 290bb–7) is amended—
(1) in the section heading, by striking “CHILDREN AND ADOLESCENTS” and inserting “CHILDREN, ADOLESCENTS, AND YOUTH”;
(2) in subsection (a)(2), by striking “children, including” and inserting “children, adolescents, and young adults, including”;

(3) by striking “and adolescents” each place it appears and inserting “children, adolescents, and young adults”. Part D of title V of the Public Health Service Act, as amended by section 7631, is further amended by adding at the end the following:

“SECTION 551. REGIONAL CENTERS OF EXCELLENCE IN SUBSTANCE USE DISORDER EDUCATION.”

“(a) In General.—The Secretary, in consultation with appropriate agencies, shall award cooperative agreements to eligible entities for the designation of such entities as Regional Centers of Excellence in Substance Use Disorder Education for purposes of improving health professional training resource with respect to substance use disorder prevention, treatment, and recovery.

(b) ELIGIBILITY.—To be eligible to receive a cooperative agreement under subsection (a), an entity eligible for a cooperative agreement—
(1) be an accredited entity that offers education to students in various health professions, which may include—
(A) a teaching hospital;
(B) a medical school;
(C) a certified behavioral health clinic; or
(D) any other health professions school, school of public health, or Cooperative Extension Program at institutions of higher education, as defined in section 101 of the Higher Education Act of 1965, engaged in the prevention, treatment, or recovery of substance use disorders;

(2) demonstrate community engagement and partnerships with community stakeholders, including entities that train health professionals, mental health counselors, social workers, peer recovery specialists, substance use treatment programs, community health centers, Indian Health Service, Title V, other community health clinics, research institutions, and law enforcement; and

(3) submit to the Secretary an application containing—
(A) a description of the program at such time, and in such manner, as the Secretary may require.

(c) ACTIVITIES.—An entity receiving an award under this section shall develop, evaluate, and distribute evidence-based resources regarding the prevention and treatment of, and recovery from, substance use disorders, which resources may include information on—
(1) the neurology and pathology of substance use disorders;
(2) advancements in the treatment of substance use disorders;
(3) techniques and best practices to support recovery from substance use disorders;
(4) strategies for the prevention and treatment of, and recovery from substance use disorders across patient populations; and
(5) other topic areas that are relevant to the objective of the award.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding cooperative agreements under subsection (a), the Secretary shall take into account regional differences among eligible entities and shall make an effort to ensure geographic distribution.

(e) EVALUATION.—The Secretary shall evaluate each project carried out by an entity receiving an award under this section and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

(f) FUNDING.—There is authorized to be appropriated to carry out this section up to $4,000,000 for each of fiscal years 2019 through 2023.”.
(i) that includes peer-to-peer support delivered by individuals with lived experience in recovery, and communal activities to build recovery skills and supportive social networks;

(K) STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the meaning given such term in section 8101 of the Elementary and Secondary Education Act (20 U.S.C. 7801).

(3) BEST PRACTICES.—The Secretary, in consultation with the Secretary of Education, shall:

(A) identify or facilitate the development of evidence-based best practices for prevention of substance misuse and abuse by children, adolescents, and young adults, including for specific populations such as youth in foster care, homeless youth, out-of-school youth, and youth at risk of or have experienced trafficking that address:

(i) primary prevention;
(ii) appropriate recovery support services;
(iii) appropriate use of medication-assisted treatment for such individuals, if applicable, and ways of overcoming barriers to the use of medication-assisted treatment in such population; and

(iv) efficient and effective communication, which may include the use of social media, to maximize outreach efforts;

(B) disseminate such best practices to State educational agencies, local educational agencies, schools and dormitories funded by the Bureau of Indian Education, institutions of higher education, secondary programs at institutions of higher education, local boards, one-stop operators, family and youth homeless providers, and nonprofit organizations, as appropriate;

(C) conduct a rigorous evaluation of each grant funded under this subsection, particularly for indicators described in paragraph (7)(B) and (D) provide technical assistance for grantees under this subsection.

(4) GRANTS AUTHORIZED.—The Secretary, in consultation with the Secretary of Education, shall award 3-year grants, on a competitive basis, to eligible entities to enable such entities, in coordination with Indian tribes, if applicable, and State agencies responsible for carrying out substance use disorder prevention and treatment programs, to carry out programs for the prevention and treatment of substance use disorders.

(A) prevention of substance misuse and abuse by children, adolescents, and young adults, which may include prevention programs, job training, linkages to community-based services, family support groups, peer mentoring, and recovery coaching;

(B) recovery support services for children, adolescents, and young adults, which may include services in a school setting, including the intended outcomes described in this section.

(5) GRANT APPLICATION.—In awarding grants under this subsection, the Secretary shall give special consideration to the unique needs of tribal, urban, suburban, and rural populations.

(6) APPLICATION.—To be eligible for a grant under this subsection, an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require. Such application shall include:

(A) a description of—

(i) the impact of substance use disorders in the population that will be served by the grant program;

(ii) how the eligible entity has solicited input from relevant stakeholders, which may include faculty, teachers, staff, families, students, and experts in substance use disorder prevention, treatment, and recovery in developing such application;

(iii) the goals of the proposed project, including the intended outcomes;

(iv) how the eligible entity plans to use grant funds for evidence-based activities, in accordance with this subsection to prevent, provide recovery support for, or treat substance use disorders amongst such individuals, or a combination of such activities; and

(v) how the eligible entity will collaborate with relevant partners, which may include State educational agencies, local educational agencies, institutions of higher education, juvenile justice agencies, prevention and recovery support providers, local service providers, Indian tribes, if applicable, and State agencies responsible for the effectiveness of any such program or program component; and

(B) a description of how the eligible entity used grant funds, in accordance with this subsection, including the number of children, adolescents, and young adults reached through programming; and

(C) a description, including relevant data, of how the grant program has made an impact on the intended outcomes described in paragraph (6)(A)(iii), including—

(i) indicators of student success, which, if the eligible entity is an educational institution, shall include student well-being and academic achievement;

(ii) substance use disorders amongst children, adolescents, and young adults served by the grant during the grant period; and

(iii) other indicators, as the Secretary determines appropriate.

(7) REPORTS TO THE SECRETARY.—Each eligible entity shall submit to the Secretary a report at such time and in such manner as the Secretary may require. Such report shall include:

(A) a description of how the eligible entity offered services for individuals with a substance use disorder, as determined by the Secretary in consultation with Indian Tribes.

(B) a description of how the eligible entity offers treatment and other services for individuals with a substance use disorder, as determined by the Director of the Centers for Disease Control and Prevention; or

(8) REPORT TO CONGRESS.—The Secretary shall, not later than October 1, 2022, submit a report to the Committees on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives a report on the effectiveness of the grant program under this subsection, based on the information submitted in reports required under paragraph (7).

(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this subsection for each of fiscal years 2020 through 2023.

Subtitle L—Information From National Mental Health and Substance Use Policy Laboratory

SEC. 7111. INFORMATION FROM NATIONAL MENTAL HEALTH AND SUBSTANCE USE POLICY LABORATORY.

Section 501(a)(b) of the Public Health Service Act (42 U.S.C. 298aa-4(b)) is amended—

(1) in paragraph (3)(A), by striking "; and";

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

"(6) issue and periodically update information for entities applying for grants or cooperation agreements with the Substance Abuse and Mental Health Services Administration in order to—

(A) encourage the implementation and replication of evidence-based practices; and

(B) provide technical assistance to applicants for funding, including with respect to appropriate use of such programs and activities; and"

Subtitle M—Comprehensive Opioid Recovery Centers

SEC. 7121. COMPREHENSIVE OPIOID RECOVERY CENTERS.

(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible entities to establish or operate a comprehensive opioid recovery center (referred to in this section as ‘‘Center’’). A Center may be a single entity or an integrated delivery network.

(2) GRANT PERIOD.—

(a) IN GENERAL.—A grant awarded under subsection (a) shall be for a period of not less than 3 years and not more than 5 years.

(b) RENEWAL.—A grant awarded under subsection (a) may be renewed on a competitive basis, for additional periods of time, as determined by the Secretary. In determining whether to renew a grant under this paragraph, the Secretary shall consider the data submitted under subsection (h).

(c) MINIMUM NUMBER OF CENTERS.—The Secretary shall allocate the amounts made available under this subsection to ensure that not fewer than 10 grants may be awarded. Not more than one grant shall be made to entities in a single State for any one period.

(3) APPLICATION.—

(A) ELIGIBLE ENTITY.—An entity is eligible for a grant under this section if the entity offers treatment and other services for individuals with a substance use disorder.

(B) PREFERENCE.—In awarding grants under subsection (a), the Secretary shall give priority to eligible entities that—

(i) located in a State with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention; or

(ii) serving an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (Public Law 114-276; 130 Stat. 1396), to conduct the activities described in this section.

(4) CENTER ACTIVITIES.—Each Center shall—

(A) offer treatment and other services for individuals with a substance use disorder, in accordance with best evidence-based practices, at the discretion of the Secretary; and

(B) coordinate with other entities to carry out activities described in this section.
may include carrying out such activities through technology-enabled collaborative learning and capacity building models described in subsection (f);

(2) providing support and recovery services—

Each Center shall—

(A) Ensure that intake, evaluations, and periodic patient assessments meet the individualized needs of patients, including by reviewing patient placement in treatment settings to support meaningful recovery;

(B) Provide the full continuum of treatment services, including—

(i) all drugs and devices approved or cleared by the Federal Food, Drug, and Cosmetic Act and all biological products licensed under section 351 of this Act to treat substance use disorders or reverse overdoses, pursuant to Federal and State law;

(ii) medically supervised withdrawal management, that includes patient evaluation, stabilization, and readiness for and entry into treatment;

(iii) counseling provided by a program counselor or other certified professional who is licensed and qualified by education, training, or experience to assess the psychological and sociological background of patients, to contribute to the appropriate treatment plan for the patient, and to monitor patient progress;

(iv) treatment, as appropriate, for patients with co-occurring substance use and mental disorders;

(v) testing, as appropriate, for infections commonly associated with illicit drug use;

(vi) residential rehabilitation, and outpatient and intensive outpatient programs;

(vii) recovery housing;

(viii) community-based and peer recovery support services;

(ix) job training, job placement assistance, and continuing education assistance to support reintegration into the workforce; and

(x) other best practices to provide the full continuum of treatment and services, as determined by the Secretary.

(C) Ensure that all programs covered by the Center include medication-assisted treatment, as appropriate, and do not exclude individuals receiving medication-assisted any service.

(D) Periodically conduct patient assessments to support sustained and clinically significant recovery, as defined by the Assistant Secretary for Mental Health and Substance Use.

(E) Provide onsite access to medication, as appropriate, and toxicology services; for purposes of carrying out this section.

(F) Operate a secure, confidential, and interoperable electronic health information system.

(G) Offer family support services such as child care, family counseling, and parenting interventions to help stabilize families impacted by substance use disorder, as appropriate.

(2) OUTREACH.—Each Center shall carry out outreach activities regarding the services offered through the Centers, which may include—

(A) training and supervising outreach staff, as appropriate, to work with State and local health departments, health care providers, the Indian Health Service, State and local educational agencies, schools funded by the Indian Bureau of Education, institutions of higher education, State and local workforce development boards, State and local community action agencies, public safety officials, first responders, Indian Tribes, child welfare agencies, as appropriate, and other community stakeholders, including potential patients, to identify and respond to community needs;

(B) ensuring that the entities described in subparagraph (A) are aware of the services of the Center; and

(C) disseminating and making publicly available evidence-based resources that educate professionals and the public on opioid use disorder and other substance use disorders, including co-occurring substance use and mental disorders.

(3) DATA REPORTING AND PROGRAM OVERSIGHT—With respect to a grant awarded under subsection (a), the entity shall submit data, as appropriate, to the Secretary regarding—

(I) the programs and activities funded by the grant;

(J) health outcomes of the population of individuals with a substance use disorder, as determined by the Secretary to be the effective measure of the grant and evaluated by an independent program evaluator through the use of outcomes measures, as determined by the Secretary;

(K) the retention rate of program participants; and

(L) any other information that the Secretary may require for the purpose of ensuring that the activities with respect to the requirements of the grant, including providing the full continuum of services described in subsection (g)(1)(B).

(4) PRIVACY.—The provisions of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

(I) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 for each of fiscal years 2019 through 2023 for purposes of carrying out this section.

(b) REPORTS TO CONGRESS.—

(1) PRELIMINARY REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a preliminary report that analyzes data submitted under section 522(h) of the Public Health Service Act, as added by subsection (a).

(2) FINAL REPORT.—Not later than 2 years after submitting the preliminary report required under paragraph (1), the Secretary of Health and Human Services shall submit to Congress a final report that includes—

(A) an evaluation of the effectiveness of the comprehensive services provided by the Centers established or operated pursuant to section 522 of the Public Health Service Act, as added by subsection (a), with respect to health outcomes of the population of individuals with substance use disorder who receive services from the Center, which shall include an evaluation of the effectiveness of services for treatment and recovery support and to reduce relapse, recidivism, and overdose; and

(B) an evaluation, as appropriate, regarding ways to improve Federal programs related to substance use disorders, which may include dissemination of best practices for the treatment of substance use disorders to health care professionals.

Subtitle N—Trauma-Informed Care

SEC. 7131. CDC SURVEILLANCE AND DATA COLLECTION FOR CHILD, YOUTH, AND ADULT TRAUMA.

(a) DATA COLLECTION.—The Director of the Centers for Disease Control and Prevention (referred to in this section as the ‘‘Director’’) may, in cooperation with the States, collect and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, or another relevant public health survey or questionnaire.

(b) TIMING.—The collection of data under subsection (a) may occur biennially.

(c) DATA FROM RURAL AREAS.—The Director shall encourage each State that participates in collecting and reporting data under subsection (a) to collect and report data from rural areas within such State, in order to generate a statistically reliable representation of such areas.

(d) DATA FROM TRIBAL AREAS.—The Director, in cooperation with Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) and pursuant to a written request from an Indian Tribe, provide technical assistance to collect and submit data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, or another relevant public health survey or questionnaire.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $2,000,000 for each of fiscal years 2019 through 2023.

SEC. 7132. TASK FORCE TO DEVELOP BEST PRACTICES FOR TRAUMA-INFORMED IDENTIFICATION, REFERRAL, AND SUPPORT.

(a) ESTABLISHMENT.—There is established a task force, to be known as the Interagency Task Force on Trauma-Informed Care (in this section referred to as the ‘‘task force’’) that shall identify, evaluate, and make recommendations regarding—

(1) best practices with respect to children and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma; and

(2) ways in which Federal agencies can better coordinate to improve the Federal response to families impacted by substance use disorders and other forms of trauma.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The task force shall be composed of the heads of the following Federal departments and agencies, or their designees:

(A) The Centers for Medicare & Medicaid Services.

(B) The Substance Abuse and Mental Health Services Administration.

(C) The Agency for Healthcare Research and Quality.

(D) The Centers for Disease Control and Prevention.

(E) The Indian Health Service.

(F) The Department of Veterans Affairs.

(G) The National Institutes of Health.

(H) The Food and Drug Administration.

(I) The Health Resources and Services Administration.

(J) The Department of Defense.

(K) The Office of Minority Health of the Department of Health and Human Services.

(L) The Administration for Children and Families.

(M) The Office of the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services.

(N) The Office for Civil Rights of the Department of Health and Human Services.

(O) The Office of Juvenile Justice and Delinquency Prevention of the Department of Justice.

(P) The Office of Community Oriented Policing Services of the Department of Justice.

(Q) The Office on Violence Against Women of the Department of Justice.

(R) The National Center for Education Evaluation and Regional Assistance of the Department of Education.

(S) The National Center for Special Education Research of the Institute of Education Sciences.

(T) The Office of Elementary and Secondary Education of the Department of Education.
enactment of this Act.

force not later than 60 days after the date of

point the corresponding members of the task

Federal departments and agencies shall ap-

impacted by substance use disorders; and

grams, to better serve children and families

priate, who have experienced, or are at risk

experiencing trauma; and

and youth, and their families as appropri-

trauma, including trauma as a result of ex-

the Department of Veterans Affairs.

Rehabilitative Services of the Department of

Labor, the Secretary of the Interior, the At-

Secretary of Education, the Secretary of

ations, and update such recommendations not

order to inform the activities under para-

erts in infant, child, and youth trauma,

Bureau of Indian Affairs of the De-

X) The Office of Special Education and

referred to and implementing practices to
diagnose and treat trauma, including the
diagnosis and treatment of trauma; and

collect and utilize data from

prevention and mitigation of trauma; and

developing environments conducive to, the

foster parents, and kinship and other care-

developmental practice and care providers, from state- and local-level partnerships that—

and other individuals who are not members of

and primary health care providers, juvenile and family court

persons, health care providers, individuals who are

and youth trauma, child welfare professionals, and the public, in order to inform the activities under para-

and (ii) providing support to infants, children,

and youth, and their families as appropriate, who have experienced or are at risk of expe-

(ii) the identification of infants, children

and youth, and their families as appropriate, who have experienced or are at risk of expe-

(iii) the expeditious referral to and imple-

mental trauma-informed and evidence-based trauma-informed care; and

(iii) educate children and youth to—

(I) understand and identify the signs, ef-

fear, symptoms of trauma; and

(II) build resilience and coping skills to

militate the effects of experiencing trauma;

promote and support multi-

generational partnerships that assist parents,
foster parents, and child welfare practitioners

give access to resources related to, and

develop environments conducive to, the

prevention and mitigation of trauma; and

collect and utilize data from

screenings, referrals, or the provision of

services and supports to evaluate outcomes

and improve processes addressing expo-

sure to trauma, including related to sub-

stance use; and

offer community-based prevention ac-

tivities, including educating families and

children on the effects of exposure to trau-

ma, such as trauma related to substance use,

and how to build resiliency and coping skills to

mitigate the effects of trauma.

ments, professional development, or best

activities, including any statutory

or regulatory barriers to such coordination;

(a) a list of specific activities that the

task force plans to carry out for purposes of

carrying out duties described in subsection (c)(2), which may include public engagement; and

(b) a proposed timeline for implementing recommendations and efforts identified

under subsection (c); and

other information that the task force determines appropriate as related to its du-

(a) are designed to quickly identify and

refer children and families, as appropriate, who have experienced or are at risk of expe-

riencing exposure to trauma, including related to substance use;

(b) utilize and develop partnerships with

early childhood education programs, local

social services organizations, and health care providers, including at-

tributes and systems that—

(iii) collect and utilize data from

screenings, referrals, or the provision of

services and supports to evaluate outcomes

and improve processes addressing expo-

sure to trauma, including related to sub-

stance use; and

(c) offer community-based prevention ac-

tivities, including educating families and

children on the effects of exposure to trau-

ma, such as trauma related to substance use,

and how to build resiliency and coping skills to

mitigate the effects of trauma.

ments, professional development, or best

activities, including any statutory

or regulatory barriers to such coordination;

(a) a list of specific activities that the

task force plans to carry out for purposes of

carrying out duties described in subsection (c)(2), which may include public engagement; and

(b) a proposed timeline for implementing recommendations and efforts identified

under subsection (c); and

other information that the task force determines appropriate as related to its du-

(a) are designed to quickly identify and

refer children and families, as appropriate, who have experienced or are at risk of expe-

riencing exposure to trauma, including related to substance use;

(b) utilize and develop partnerships with

early childhood education programs, local

social services organizations, and health care providers, including at-
practices recommended under subsection (d)(3).

(b) DEFINITIONS.—In this section—

(1) the term “early childhood education program” means a program for children born on or after October 1, 1997, and ending on or before September 30, 2023, that is—

(A) designed to provide—

(B) the Secretary may reasonably require, which shall include—

(C) reflects the best practices for trauma-informed identification, referral, and support developed by the Task Force under section 7132.

(1) Services at a full-service community school that focuses on trauma-informed supports, which may include a full-time site coordinator, or other activities consistent with the needs of the school (including Special Education and Secondary Education Act of 1965 (20 U.S.C. 7275).

(2) Engaging families and communities in efforts to increase awareness of child and youth trauma, and by sharing in that awareness, best practices with law enforcement regarding trauma-informed care and working with communities to promote the appropriate interventions, as well as longer term coordinated care within the community for children and youth who have experienced trauma and their families.

(6) To provide technical assistance to school systems and mental health agencies.

(7) To evaluate the effectiveness of the program carried out under this section in—

(A) foster safe and stable learning environments and mitigate the effects of trauma, including through social and emotional learning;

(B) improves school capacity to identify, refer, and support services to students in need of trauma support or behavioral health services; or

(C) the need of specialized support.

(b) To prevent Federal, State, and tribal law enforcement and judicial authorities from being used in the design and implementation of the services.

(2) A description of the evidence-based practices regarding trauma support services and mental health care described in subsection (c), the financial responsibility for the services, including quality, accountability, and coordination of the services, and the other relevant agencies, authorities, or entities, in the community that will be involved in the provision of such services.

(c) The conditions and terms of reimbursement among such agencies, authorities, or entities, including procedures for dispute resolution.

(f) EVALUATION.—The Secretary shall re

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SEC. 7133. NATIONAL CHILD TRAUMATIC STRESS INITIATIVE.

Section 582(j) of the Public Health Service Act (42 U.S.C. 290hh-1(j)) (relating to grants to address the problems of persons who experience violence-related stress) is amended by striking “$34,887,000” and inserting “$52,887,000”.

SEC. 7134. GRANTS TO IMPROVE TRAUMA-SUPPORT SERVICES AND MENTAL HEALTH SERVICES FOR CHILDREN AND YOUTH IN EDUCATIONAL SETTINGS.

(a) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—The Secretary, in coordination with the Assistant Secretary for Mental Health and Substance Use, is authorized to make grants or contracts, or enter into cooperative agreements with, State educational agencies, local educational agencies, Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) or its tribal educational agencies, a school operated by the Bureau of Indian Education, a Regional Corporation, a Tribal Health Organization, a Native Hawaiian Health Authority, State educational agencies, local educational agencies, Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) or its tribal educational agencies, a school operated by the Bureau of Indian Education, a Regional Corporation, a Tribal Health Organization, a Native Hawaiian Health Authority, or other entities described in subsection (a), including any special education and related services, and mental health systems established under this section in order to provide, develop, or improve prevention, screening, referral, and treatment and support services to young children and their families.

(b) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, which shall include the following:

(1) A description of the innovative initiatives, activities, or programs to be funded under the grant, contract, or cooperative agreement, including how such program will increase access to evidence-based trauma support services and mental health care described in subsection (c), the financial responsibility for the services, including quality, accountability, and coordination of the services, and the other relevant agencies, authorities, or entities, in the community that will be involved in the provision of such services.

(2) A description of how the program will provide linguistically appropriate and culturally competent services.

(c) The conditions and terms of reimbursement among such agencies, authorities, or entities, including procedures for dispute resolution.

(f) EVALUATION.—The Secretary shall re

SEC. 7135. INTERAGENCY AGREEMENTS.

(A) the financial responsibility for the services, including quality, accountability, and coordination of the services, and the other relevant agencies, authorities, or entities, in the community that will be involved in the provision of such services.

(2) A description of the evidence-based practices regarding trauma support services and mental health care described in subsection (c), the financial responsibility for the services, including quality, accountability, and coordination of the services, and the other relevant agencies, authorities, or entities, in the community that will be involved in the provision of such services.

(c) The conditions and terms of reimbursement among such agencies, authorities, or entities, including procedures for dispute resolution.

(f) EVALUATION.—The Secretary shall re

SEC. 7136. DISTRIBUTION OF AWARDS.

The Secretary shall ensure that grants, contracts, and cooperative agreements awarded or entered into under this section are equitably distributed among the States and among tribal, urban, suburban, and rural populations.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to prohibit an entity involved with a program carried out under this section from receiving a crime that is committed by a student to appropriate authorities; or

(2) to prevent Federal, State, and tribal law enforcement and judicial authorities from being used in the design and implementation of the services.

(c) SUPPLEMENT, NOT SUPPLANT.—Any services provided through programs carried out under this section supplement, and not supplant, existing mental health services, including any special education and related services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(1) CONSULTATION WITH INDIAN TRIBES.—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult with Indian Tribes and their representatives to ensure notice of eligibility.

(2) DEFINITIONS.—In this section:

(ELEMENTARY SCHOOL.—The term “elementary school” means the elementary school described in section 6101(21)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) (21)(A)(i)).

(2) EVIDENCE-BASED.—The term “evidence-based” has the meaning given such term in section 8101(2)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) NATIVE HAWAIIAN EDUCATIONAL ORGANIZATION.—The term “Native Hawaiian educational organization” has the meaning given such term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).
SEC. 7135. RECOGNIZING EARLY CHILDHOOD CARE AND EDUCATION PROVIDERS AND PROFESSIONALS WORKING WITH YOUNG CHILDREN ON—

(a) Dissemination of Information.—The Secretary, in consultation with early childhood care and education providers and professionals working with young children on—

(1) ways to properly recognize children who may be impacted by trauma, including trauma-related use by a family member or other adult; and

(2) how to respond appropriately in order to provide for the safety and well-being of young children and their families.

(b) Goals.—The information, resources, and technical assistance provided under subsection (a) shall—

(1) educate early childhood care and education providers and professionals working with young children on understanding and identifying the early signs and risk factors of children who might be impacted by trauma, including trauma due to exposure to substance use; and

(2) suggest age-appropriate communication tools, techniques, and practices for trauma-informed care, including ways to prevent or mitigate the effects of trauma.

(3) provide options for responding to children affected by trauma, including due to exposure to substance use, that consider the needs of the child and family, including recommending resources and referrals for evidence-based services to support such family, and

(4) promote whole-family and multi-generational approaches to keep families safely together when it is in the best interest of the child.

(c) Coordination.—The Secretary of Health and Human Services shall coordinate with the task force to develop best practices for trauma-informed identification, referral, and support authorized under section 7132 in disseminating the information, resources, and technical assistance described under subsection (b).

(d) Rule of Construction.—Such information, resources, and if applicable, technical assistance, shall not be construed to amend the requirements under—

(1) the Community Development Block Grant Act of 1990 (42 U.S.C. 9856 et seq.); (2) the Head Start Act (42 U.S.C. 9831 et seq.); or

(3) the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

Subtitle O—Eliminating Opioid Related Infectious Diseases

SEC. 7141. REAUTHORIZATION AND EXPANSION OF PROGRAM OF SURVEILLANCE AND EDUCATION REGARDING INFECIONS ASSOCIATED WITH ILLICIT DRUG USE AND OTHER RISK FACTORS.

(a) in General.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may (directly or through grants to public and nonprofit private entities) provide for programs for the following—

(1) to cooperate with States and Indian tribes in implementing or maintaining a national system to determine the incidence of infectious commonly associated with illicit drug use, such as viral hepatitis, human immunodeficiency virus, and infectious endocarditis, and to assist the States in determining the prevalence of such infections, which may include the reporting of cases of such infections;

(2) to identify, counsel, and offer testing to individuals who are at risk of infections described in paragraph (1) resulting from illicit drug use, receiving blood transfusions prior to July 1992, or other risk factors.

(3) to provide appropriate referrals for counseling, testing, and medical treatment of individuals identified under paragraph (2) and to ensure, to the extent practicable, the provision of appropriate services.

(4) to develop and disseminate public information and education programs for the detection and control of infections described in paragraph (1), with priority given to high-risk populations as determined by the Secretary.

(b) Improve the education, training, and skills of health professionals in the detection and control of infections described in paragraph (1), including to coordinate treatment of substance use disorders and infectious diseases, with priority given to substance use disorder treatment providers, pediatricians and other primary care providers, obstetrician-gynecologists, and infectious disease clinicians, including HIV clinicians.

(2) Laboratory Procedures.—The Secretary may (directly or through grants to public and nonprofit private entities) carry out programs to improve the quality of clinical-laboratory procedures regarding infections described in subsection (a)(1).

(c) Definition.—In this section, the term ‘Indian tribe’ means a tribe having given its assent in section 4 of the Indian Self-Determination and Education Assistance Act.

(d) Authorization of Appropriations.—For the purpose of carrying out this section, there is authorized to be appropriated $40,000,000 for each of the fiscal years 2019 through 2023.

SEC. 7151. BUILDING COMMUNITIES OF RECOVERY

(a) Definition.—In this section, the term ‘recovery community organization’ means an independent nonprofit organization—

(1) mobilizes resources within and outside of the recovery community, which may include through a peer support network, to increase the prevalence and quality of long-term recovery from substance use disorders; and

(2) is wholly or principally governed by people in recovery from substance use disorders who reflect the community served.

(b) Grants Authorized.—The Secretary shall award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

(c) Federal Share.—The Federal share of the costs of a program funded by a grant under this section may not exceed 85 percent.

(d) Use of Funds.—Grants awarded under subsection (b)—

(1) shall be used to develop, expand, and enhance community and statewide recovery support services; and

(2) may be used to—

(A) build connections between recovery community organizations and peer support networks, and with other recovery support services, including—

(i) behavioral health providers;

(ii) primary care providers and physicians;

(iii) educational and vocational schools;

(iv) employers;

(v) housing services;

(vi) child welfare agencies; and

(vii) other recovery support services that facilitate recovery from substance use disorders, including non-clinical community services;

(B) reduce stigma associated with substance use disorders; and

(C) conduct outreach on issues relating to substance use disorders and recovery, including—

(i) identifying the signs of substance use disorder;

(ii) the resources available to individuals with substance use disorder and to families of an individual with a substance use disorder, including programs that mentor and provide support services to children;

(iii) the resources available to help support individuals in recovery; and

(iv) related medical outcomes of substance use disorders, the potential of acquiring an infection commonly associated with illicit drug use, and neonatal abstinence syndrome among infants exposed to opioids during pregnancy.

(d) Special Consideration.—In carrying out this section, the Secretary shall give special consideration to the unique needs of rural areas, including areas with an age-adjusted rate of drug overdose deaths that is above the national average and areas with a shortage of prevention and treatment services.

(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2019 through 2023.

SEC. 7152. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

Title V-C to the Public Health Service Act (42 U.S.C. 290dd-2) is amended by inserting after section 547 the following:
SEC. 547A. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

(a) ESTABLISHMENT.—The Secretary, acting through the Assistant Secretary, shall establish or operate a National Peer Run Training and Technical Assistance Center for Addiction Recovery Support (referred to in this section as the ‘Center’).

(b) FUNCTIONS.—The Center established under subsection (a) shall provide technical assistance and support to recovery community organizations and peer support networks, including such assistance and support related to—

(1) training on identifying and responding to substance use disorder;
(2) resources to assist individuals with a substance use disorder, or resources for families of an individual with a substance use disorder; and
(3) best practices for the delivery of recovery support services;

(2) the provision of translation services, interpretation, or other such services for clients with limited English speaking proficiency;

(3) data collection to support research, including evaluation research; and

(4) capacity building; and

(5) evaluation and improvement, as necessary, of the effectiveness of such services provided by recovery community organizations.

(c) BEST PRACTICES.—The Center established under subsection (a) shall periodically issue best practices guidance on the term ‘recovery community organization’ has the meaning given such term in section 547.

(d) RECOVERY COMMUNITY ORGANIZATION.—In this section, the term ‘recovery community organization’ has the meaning given such term in section 547.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2019 through 2023.

Subtitle Q—Creating Opportunities That Ne...
“(B) regarding such risks related to unused opioids and the dispensing options under section 309(f) of the Controlled Substances Act, as applicable; and
“(2) provisions which may include—
“(A) providing for continuing education on appropriate prescribing practices;
“(B) education related to applicable State or local laws; (c) information on the use of non-addictive alternatives for pain management, and the use of overdose reversal drugs, as appropriate;
“(4) provisions and improving the use of evidence-based opioid prescribing guidelines across relevant health care settings, as appropriate, and updating guidelines as necessary;
“(D) implementing strategies, such as best practices, to encourage and facilitate the use of prescriber guidelines, in accordance with State and local law;
“(E) disseminating information to providers about prescribing options for controlled substances, including such options under section 308(f) of the Controlled Substances Act, as applicable; and
“(F) disseminating information, as appropriate, on the National Pain Strategy developed in consultation with the Assistant Secretary for Health; and
“(3) other appropriate entities;” and
“(2) in subsection (b), by striking “opioid abuse” each place such term appears and inserting “opioid misuse and abuse”; and
“(B) in paragraph (2), by striking “safe disposal of prescription medications and other” and inserting “non-addictive treatment options, safe disposal options for prescription medications, and other applicable”;

SEC. 783. PRESCRIPTION DRUG MONITORING PROGRAM.

Section 309(f) of the Public Health Service Act (42 U.S.C. 290g-3) is amended to read as follows:

“SEC. 399O. PRESCRIPTION DRUG MONITORING PROGRAM.

“(a) Program.—
“(1) IN GENERAL.—Each fiscal year, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, in coordination with the heads of other relevant Federal agencies as appropriate, shall support States or localities for the purpose of improving the efficiency and use of PDMPs, including—
“(A) establishment and implementation of a PDMP;
“(B) maintenance of a PDMP;
“(C) improvements to a PDMP by—
“(i) enhancing functional components to work toward—
“(I) universal use of PDMPs among prescribers and their delegates, to the extent that State laws allow;
“(II) more timely inclusion of data within a PDMP;
“(III) active management of the PDMP, in part by providing push or pull reports to providers to inform prescribing; and
“(IV) ensuring the highest level of ease in use of and access to PDMPs by providers and their delegates, to the extent that State laws allow;
“(ii) in consultation with the Office of the National Coordinator for Health Information Technology, improving the intrastate interoperability of PDMPs by—
“(I) making PDMPs more actionable by integrating PDMPs within electronic health records and health information technology infrastructure; and
“(II) linking PDMP data to other data systems within the State, including—
“(aa) pharmacy benefit managers, medical examiners and coroners, and the State's Medicaid program;
“(bb) worker’s compensation data; and
“(cc) prescribing data of providers of the Department of Veterans Affairs and the Indian Health Service within the State;
“(III) in consultation with the Director of the National Coordinator for Health Information Technology, improving the interstate interoperability of PDMPs through—
“(I) sharing automated data in near-real time across State lines; and
“(II) integration of automated queries for multistate PDMP data and analytics into clinical workflow, including the use of such data and analytics by practitioners and dispensers; or
“(IV) improving the ability to include treatment availability resources and referral capabilities within the PDMP.
“(2) LEGISLATION.—As a condition on the receipt of support under this section, the Secretary shall require a State or locality to demonstrate that it has enacted legislation or regulations—
“(A) to provide for the implementation of the PDMP; and
“(B) to permit the imposition of appropriate penalties for the unauthorized use and disclosure of information maintained by the PDMP.
“(3) PDMP STRATEGIES.—The Secretary shall encourage, implement, improve, or maintain a PDMP, to implement strategies that improve—
“(I) the reporting of dispensing in the State or local prescribing history of an ultimate user so the reporting occurs not later than 24 hours after the dispensing event;
“(II) the consultation of the PDMP by each prescribing practitioner, or their designee, in the State or locality before initiating treatment with a controlled substance, or any substance as required by the State to be reported to the PDMP, and over the course of ongoing treatment for each prescribing event;
“(III) the consultation of the PDMP before dispensing a controlled substance, or any substance as required by the State to be reported to the PDMP;
“(IV) the proactive notification to a practitioner when patterns indicative of controlled substance misuse by a patient, including opioid misuse, are detected;
“(V) the sharing of data in the PDMP to other States, as allowable under State law; and
“(VI) the availability of nonidentifiable information to the Centers for Disease Control and Prevention for surveillance, epidemiological, statistical, research, or educational purposes.
“(4) DRUG MISUSE AND ABUSE.—In consultation with practitioners, dispensers, and other relevant and interested stakeholders, a State receiving support under this section—
“(I) shall establish a program to notify practitioners and dispensers of information that will help to identify and prevent the unlawful diversion or misuse of controlled substances;
“(II) may, to the extent permitted under State law, notify the appropriate authorities responsible for carrying out drug diversion investigations if the State determines that information in the PDMP maintained by the State indicates an unlawful diversion or abuse of a controlled substance;
“(III) may conduct analyses of controlled substance program data for purposes of providing appropriate State agencies with aggregated, non-identifiable data on such analyses in as close to real-time as practicable, regarding prescription patterns flagged as potentially presenting a risk of misuse, abuse, addiction, overdosing, or symptomatic behavior, as appropriate and in compliance with applicable Federal and State laws and provided that such reports shall not include protected health information; and
“(IV) may access information about prescriptions, such as claims data, to ensure that such prescribing and dispensing history is updated in as close to real-time as practicable, in compliance with applicable Federal and State laws and provided that such information shall not include protected health information.
“(5) EVALUATION AND REPORTING.—As a condition on receipt of support under this section, the State shall report on interoperability with PDMPs of other States and Federal agencies, where appropriate, intrastate interoperability with health information technology systems such as electronic health records, health information exchanges, and e-prescribing, where appropriate, and whether or not the State provides automated, up-to-date, or daily information about a patient when a practitioner (or the designee of a practitioner, where permitted) requests information about such patient.
“(a) EVALUATION AND REPORTING.—A State receiving support under this section shall provide the Secretary with aggregate non-identifiable information, as permitted by State law, to enable the Secretary—
“(1) to evaluate the success of the State’s program in achieving the purpose described in subsection (a); or
“(2) to prepare and submit to the Congress the report required by paragraph (4).
“(b) EDUCATION AND ACCESS TO THE MONITORING SYSTEM.—A State receiving support under this section shall take steps to facilitate prescribing and dispensing, and their delegates, as permitted by State law, to use the PDMP, to the extent practicable; and
“(c) educate prescribers and dispensers, and their delegates on the benefits of the use of PDMPs.
“(c) ELECTRONIC FORMAT.—The Secretary may issue guidelines specifying a uniform electronic format for the reporting, sharing, and disclosure of information pursuant to PDMPs. To the extent possible, such guidelines shall be consistent with standards recognized by the Office of the National Coordinator for Health Information Technology.
“(d) RULES OF CONSTRUCTION.—
“(1) FUNCTIONS OTHERWISE AUTHORIZED BY LAW.—Nothing in this section shall be construed to restrict the authorities, including any local, State, or Federal law enforcement, narcotics control, licensure, disciplinary, or program authority, to perform functions otherwise authorized by law.
“(2) ADDITIONAL PRIVACY PROTECTIONS.—Nothing in this section shall be construed as preempting any State from imposing any additional privacy protections.
“(3) FEDERAL PRIVACY REQUIREMENTS.—Nothing in this section shall be construed to supersede any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 110 Stat. 2033) and section 543 of this Act.
“(4) NO FEDERAL PRIVACY CAUSE OF ACTION.—Nothing in this section shall be construed to create a Federal private cause of action.
“(b) PROGRESS REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall—
“(1) complete a study that—
“(A) determines the progress of grantees in establishing and implementing PDMPs consistent with this section; and
“(B) provides an analysis of the extent to which the operation of PDMPs has—
“(i) reduced inappropriate use, abuse, diversion of, and overdose with, controlled substances;
(ii) established or strengthened initiatives to ensure linkages to substance use disorder treatment services; or
(iii) affected patient access to appropriate care for those utilizing PDMPs.

(C) determine the progress of grantees in achieving interstate interoperability and intrastate interoperability of PDMPs, including an assessment of technical, financial, and legal barriers to such progress and recommendations for addressing these barriers; and

(D) determines the progress of grantees in implementing near real-time electronic PDMPs;

(E) provides an analysis of the privacy protections in place for the information reported to the PDMP in each State or locality receiving support under this section and any recommendations of the Secretary for additional Federal or State requirements for protection of this information;

(F) determines the progress of States or localities in implementing technological alternatives to centralized data storage, such as peer-to-peer file sharing or data pointer systems, in PDMPs and the potential for such an assessment to enhance the privacy and security of individually identifiable data; and

(G) evaluates the penalties that States or localities have enacted for the unauthorized use and disclosure of information maintained in PDMPs, and the criteria used by the Secretary to determine whether such penalties are appropriate for purposes of subsection (a)(2); and

(2) submit a report to the Congress on the results of the study:

(1) ADVISORY COUNCIL.—

(1) ESTABLISHMENT.—A State or locality may establish an advisory council to assist in the establishment, improvement, or maintenance of a PDMP.

(2) SENSE OF CONGRESS.—It is the sense of the Congress that, in establishing an advisory council to assist in the establishment, improvement, or maintenance of a PDMP, a State shall consult with appropriate professional boards and other interested parties.

(K) DEFINITIONS.—For purposes of this section:

(1) The term ‘controlled substance’ means a controlled substance (as defined in section 202 of such Act).

(2) The term ‘dispense’ means to deliver a controlled substance to an ultimate user, or pursuant to the lawful order of, a practitioner, irrespective of whether the dispenser uses the Internet or other means to effect such delivery.

(3) The term ‘dispenser’ means a physician, pharmacist, or other person that dispenses a controlled substance to an ultimate user.

(4) The term ‘interstate interoperability’ with respect to a PDMP means the ability of the PDMP to electronically share reported information with another State if the information concerns either the dispensing of a controlled substance to an ultimate user who resides in such other State, or the dispensing of a controlled substance prescribed by a practitioner whose principal place of business is located in such other State.

(5) The term ‘intrastate interoperability’ with respect to a PDMP means the ability of the PDMP data within electronic health records and health information technology infrastructure or linking of a PDMP to other data systems within the State, including the State’s Medicaid program, workers’ compensation programs, and medical examiners or coroners.

(6) The term ‘nonidentifiable information’ means information that does not identify a practitioner, dispenser, or an ultimate user and with respect to which there is no reasonable basis to believe that the information can be used to identify a practitioner, dispenser, or an ultimate user.

(7) The term PDMP means a prescription drug monitoring program that is State-controlled.

(8) The term ‘practitioner’ means a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other person licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which the individual practices or does research, to distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

(9) The term ‘PRP’ means each of the 50 States, the District of Columbia, any commonwealth or territory of the United States.

(10) The term ‘ultimate user’ means a person who has obtained from a dispenser, and who possesses, a controlled substance for the person’s own use, for the use of a member of the person’s household, or for the use of an individual to whom the person is responsible or by a member of the person’s household.

(11) The term ‘clinical workflow’ means the integration of automated queries for prescription drug monitoring programs data and analytics into health information technologies such as electronic health record systems, telehealth systems, and/or pharmacy dispensing software systems, thus streamlining provider access through automated queries.

Subtitle R—Review of Substance Use Disorder Treatment Providers Receiving Federal Funding

SEC. 7171. REVIEW OF SUBSTANCE USE DISORDER TREATMENT PROVIDERS RECEIVING FEDERAL FUNDING

(a) In General.—The Secretary of Health and Human Services (in this section referred to as the ‘Secretary’) shall conduct a review of entities that receive Federal funding for the provision of substance use disorder treatment programs. The review shall include:

(1) the length of time the entity has provided substance use disorder treatment services and the geographic area served by the entity;

(2) a detailed analysis of the patient population served by the entity, including but not limited to the number of patients, types of disorders, and the demographic information of such patients, including sex, race, ethnicity, and socioeconomic status;

(3) details on the types of substance use disorder treatment programs for which the entity has the experience, capability, and capacity to provide such services;

(4) an analysis of how the entity handles patients requiring treatment for a substance use disorder that the organization is not able to treat;

(b) Report.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a plan to direct appropriate resources to those that provide substance use disorder treatment services in order to address inadequacies in services or funding identified through the survey described in subsection (a).

Subtitle S—Other Health Provisions

SEC. 7181. STATE RESPONSE TO THE OPIOID ABUSE CRISIS.

(a) In General.—Section 1003 of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in subsection (a), by striking “the authorization of appropriations under subsection (b) to carry out the grant program described in subsection (c)” and inserting “subsection (b) to carry out the grant program described in subsection (b)”;

(b) and by inserting “and Indian Tribes” after “States”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively;

(4) by redesigning subsection (f) as subsection (j);

(5) in subsection (b), as so redesignated—

(A) in paragraph (1)—

(i) in the paragraph heading, by inserting “AND TRIBAL,” after “STATE”; and

(ii) by striking ‘‘States’’ and inserting ‘‘States and Indian Tribes’’ after ‘‘preference to States’’;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking to a State’’;

(ii) by striking ‘‘improving’’ and inserting ‘‘improving’’;

(C) in subparagraph (C), by inserting ‘‘preventing diversion of controlled substances,’’ after ‘‘treatment programs,’’; and

(D) in subparagraph (E), by striking ‘‘as the State determines appropriate, related to the opioid abuse crisis within such States and Indian Tribes’’.

(b) Reporting.—

(1) The Secretary, in consultation with Indian Tribes, shall identify and establish appropriate mechanisms to determine whether to report the information as required under sections (b), (c), and (d).
"(f) REPORT TO CONGRESS.—Not later than 1 year after the date on which amounts are first awarded under the date of enactment of this subsection, pursuant to subsection (b), and at such other times as the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, the Secretary shall submit a report summarizing the information provided to the Secretary in reports made pursuant to subsection (c), including the purposes for which grant funds are awarded under this section and the activities of such grant recipients.

'(g) TECHNICAL ASSISTANCE.—The Secretary, including through the Tribal Training and Assistance Center of the Substance Abuse and Mental Health Services Administration, shall provide State agencies and Indian tribes, as applicable, with technical assistance concerning grant application and submission procedures under this section, award management activities, and enhancing outreach and direct support to rural and underserved communities and providers in addressing the opioid crisis.

'(h) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out the grant program under subsection (b), there is authorized to be appropriated $500,000,000 for each fiscal year 2019 through 2021, to remain available until expended.

'(i) SET ASIDE.—Of the amounts made available for each fiscal year to award grants under subsection (b) for a fiscal year, 5 percent of such amount shall be available to Indian tribes and, up to 15 percent of such amount for such fiscal year, may be set aside for States with the highest and lowest rates of drug overdose death based on the ordinal ranking of States according to the Director of the Centers for Disease Control and Prevention.

'(j) REPORTS TO CONGRESS.—Not later than 2 years after the end of the first year of the fiscal year....
There is authorized to be appropriated under subsection (i).

TITe VIII—MISCELLANEOUS
Subtitle A—Synthetics Trafficking and Overdose Prevention

SEC. 8001. SHORT TITLE.

This subtitle may be cited as the "Synthetic Trafficking and Overdose Prevention Act of 2018" or "STOP Act of 2018''.

SEC. 8002. CUSTOMS FEES.

(a) In General.—Section 3301(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)) is amended—

(1) in paragraph (6), by inserting "(other than those authorized under subsection (a)(9))'' after "customs officer''; and

(2) in paragraph (10)—

(A) by inserting, after "(aa)'', "(bb)'';

(B) by striking, after "(aa)'', "(bb)''; and

(C) by striking, after "(aa)'', "(bb)''.

(b) MANDATORY ADVANCE ELECTRONIC INFORMATION FOR POSTAL SHIPMENTS.

(a) MANDATORY ADVANCE ELECTRONIC INFORMATION.—

(1) In General.—Section 3103(a)(3)(K) of the Trade Act of 2002 (Public Law 107–210; 19 U.S.C. 2017 note) is amended to read as follows:

"(K)(i) The Secretary shall prescribe regulations requiring the United States Postal Service to transmit the information described in paragraphs (1) and (2) to the Commissioner of U.S. Customs and Border Protection for international mail shipments described in clause (i) to an amount comparable to similar non-mail shipments that can be effectively screened consistent with the requirements of this subparagraph.

(ii) In prescribing regulations under clause (i), the Secretary shall impose requirements for the transmission to the Commissioner described in paragraph (1) and (2) for mail shipments described in clause (i) that are comparable to the requirements for the transmission of similar non-mail shipments of cargo, taking into account the processing of Inbound EMS items.

(iii) The payments required by clause (ii) shall be the only payments required for reimbursement of U.S. Customs and Border Protection for advance electronic information provided in connection with the processing of an Inbound EMS item.

(iv) The regulations prescribed under clause (i) shall require the transmission of the information described in paragraphs (1) and (2) with respect to a shipment as soon as practicable in relation to the transportation of the shipment, consistent with subparagraph (H).

(v) Regulations prescribed under clause (i) shall allow for the requirements for the transmission to the Commissioner of information described in paragraphs (1) and (2) for mail shipments described in clause (i) to be implemented in a manner that minimizes the imposition of such requirements on the United States Postal Service and the Postmaster General.

(vi) Beginning in fiscal year 2021, the Secretary, in consultation with the Postmaster General, may determine to exclude a country from the requirement described in paragraph (1) to transmit information for mail shipments described in clause (i) from the country if the Commissioner determines that the country—

(A) does not have the capacity to collect and transmit such information;

(B) represents a low risk for mail shipments that violate relevant United States laws and regulations; and

(C) accounts for a low percentage of mail shipments that can be effectively screened for compliance with relevant United States laws and regulations and through an alternative means.

(vii) The Commissioner shall, at a minimum on an annual basis, re-evaluate any determination made under subparagraph (H) to exclude a country from the requirement described in clause (i) if, at any time, the Commissioner determines that the country no longer meets the requirements described in subparagraph (H).

(viii) The Commissioner, in consultation with the Postmaster General, may determine to exclude the country from the requirement described in clause (i)

(ix) The Commissioner shall, on an annual basis, submit to the appropriate congressional committees—

(A) a list of countries with respect to which the Commissioner has made a determination under subparagraph (H) to exclude a country from the requirement described in clause (i); and

(B) a list of information used to support such determination with respect to such countries.

(ix) The Commissioner shall, when the Commissioner has made a determination under subparagraph (H) to exclude a country from the requirement described in clause (i), notify Congress no later than December 31, 2020, for which the information described in paragraphs (1) and (2) is not transmitted as required under this subparagraph, except as provided in subparagraph (ii).

(x) If remedial action is warranted in lieu of refusal of shipments pursuant to subparagraph (i), the Commissioner shall, in consultation with the Commissioner, taking into account the costs incurred in providing for compliance with international mail facilities.

(xii) Payments received by U.S. Customs and Border Protection under subsection (i) shall, in accordance with section 524 of the Tariff Act of 1930 (19 U.S.C. 1524), be deposited in the U.S. Customs User Fee Account and shall be transmitted to the Postmaster General and the Commissioner of the Internal Revenue Service.

(xiii) Payments received under clause (ii) shall be retained by the Postal Service and shall be transmitted to the Postmaster General and the Commissioner of the Internal Revenue Service.
Nothing in this subparagraph shall be construed to limit the authority of the Secretary to obtain information relating to international mail shipments from private carriers and appropriate parties.

(IX) In this subparagraph, the term ‘appropriate congressional committees’ means—

(A) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

(2) JOINT STRATEGIC PLAN ON MANDATORY ADVANCE INFORMATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall develop and submit to the appropriate congressional committees a joint strategic plan detailing specific performance measures for achieving—

(A) the transmission of information as required by section 343(a)(3)(K) of the Trade Act of 2002, as amended by paragraph (1); and

(B) the presentation by the Postal Service to U.S. Customs and Border Protection of all mail targeted by U.S. Customs and Border Protection for inspection.

(3) CAPACITY BUILDING.—

(A) IN GENERAL.—The Secretary, with the concurrence of the Secretary of State, and in coordination with the Postmaster General and the heads of other Federal agencies, as appropriate, may provide technical assistance, equipment, technology, and training to enhance the capacity of foreign postal operators—

(i) to gather and provide the information required by paragraph (3)(K); and

(ii) to otherwise gather and provide such information related to—

(1) terrorism;

(2) the Committee on Finance and the Committee on Homeland Security and the Postmaster General consider appropriate with respect to obtaining the transmission of information required by that subparagraph.

(4) CONSULTATIONS.—Before entering into, or renewing, an international agreement related to international postal services, or any amendment to such an agreement, the Secretary of State should negotiate to amend the relevant provisions of the agreement so that the United States is no longer in violation of the agreement.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to permit the implementation of this subtitle or any amendment made by this subtitle.
SEC. 8005. COST RECOURSES.
(a) IN GENERAL.—The United States Postal Service shall, to the extent practicable and otherwise recoverable by law, ensure that all costs associated with complying with this subtitle and amendments made by this subtitle are charged directly to foreign shippers or foreign postal operators.
(b) COSTS NOT CONSIDERED REVENUE.—The recovery of costs under subsection (a) shall not be deemed revenue for purposes of subchapter I and II of chapter 36 of title 39, United States Code, or regulations prescribed under that chapter.

SEC. 8006. DEVELOPMENT OF TECHNOLOGY TO DETECT ILLICIT NARCOTICS.
(a) IN GENERAL.—The Postmaster General and the Commissioner of U.S. Customs and Border Protection, in coordinated efforts with other agencies as appropriate, shall collaborate to identify and develop technology for the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States by mail.
(b) OUTREACH TO PRIVATE SECTOR.—The Postmaster General and the Commissioner shall conduct outreach to private sector entities to gather information regarding the current state of technology to identify areas for improvement in the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States.

SEC. 8007. CIVIL PENALTIES FOR POSTAL SHIPMENTS.
Section 436 of the Tariff Act of 1930 (19 U.S.C. 1436) is amended by adding at the end the following new subsection:
"(e) CIVIL PENALTIES FOR POSTAL SHIPMENTS.—
"(2) MODIFICATION OF CIVIL PENALTY.—If U.S. Customs and Border Protection determines that the United States Postal Service—
"(i) has a low error rate in compliance with section 343(a)(3)(K) of the Act of 2002; and
"(ii) is in cooperation with U.S. Customs and Border Protection with respect to the violation of section 343(a)(3)(K)(vii)(I) of the Act of 2002; and
"(iii) has taken remedial action to prevent future violations of section 343(a)(3)(K)(vii)(I) of the Act of 2002; such civil penalty shall be adjusted to the extent prescribed by the Postal Service.
"(B) WRITTEN NOTIFICATION.—U.S. Customs and Border Protection shall issue a written notification to the Postal Service with respect to each exercise of the authority of subparagraph (A) to reduce or dismiss a civil penalty imposed pursuant to paragraph (1) if U.S. Customs and Border Protection determines that the United States Postal Service—
"(i) has a low error rate in compliance with section 343(a)(3)(K) of the Act of 2002; and
"(ii) is in cooperation with U.S. Customs and Border Protection with respect to the violation of section 343(a)(3)(K)(vii)(I) of the Act of 2002.
"(C) TIMELY AND FULL PAYMENT.—Not later than 1 year after the date of the enactment of this Act, the United States Postal Service shall be provided with the same privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) and shall be provided with the same authority as described in subsection (b) with respect to each exercise of the authority of subparagraph (A) to reduce or dismiss a civil penalty imposed pursuant to paragraph (1).
(2) INFORMATION DESCRIBED.—The information described in this subsection is the following:
"(1) The name and address of the violator.
"(2) The specific violation that was committed.
"(3) The location or port of entry through which the items were transported.
"(4) An inventory of the items seized, including a description of the items and the quantity seized.
"(5) The location from which the items originated.
"(6) The entity responsible for the apprehension or seizure, organized by location or port of entry.
"(7) The amount of penalties assessed by U.S. Customs and Border Protection, organized by name of the violator and location or port of entry.
"(8) The amount of penalties that U.S. Customs and Border Protection could have levied, organized by name of the violator and location or port of entry.
(3) ORGANIZING CIVIL PENALTIES.—The Postal Service, in coordination with the Committee on Oversight and Government Reform, shall prepare an annual report that contains the information described in subsection (b) with respect to each exercise of the authority of subparagraph (A) to reduce or dismiss a civil penalty imposed pursuant to paragraph (1) if U.S. Customs and Border Protection determines that the United States Postal Service—
"(i) has a low error rate in compliance with section 343(a)(3)(K)(vii)(I) of the Act of 2002; and
"(ii) is in cooperation with U.S. Customs and Border Protection with respect to the violation of section 343(a)(3)(K)(vii)(I) of the Act of 2002.
(4) EFFECTIVE DATE; REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations as are necessary to carry out this section.

SEC. 8008. REPORT ON VIOLATIONS OF ARRIVAL, REPORTING, ENTRY, AND CLEARANCE REQUIREMENTS AND FALSE TREATMENT MEANS.
(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection shall submit to the appropriate congressional committees an annual report that contains the information described in subsection (b) with respect to each violation of section 436 of the Tariff Act of 1930 (19 U.S.C. 1436), as amended by section 8007 of such Act (19 U.S.C. 1584) that occurred during the previous year.
(b) INFORMATION DESCRIBED.—The information described in this subsection is the following:
"(1) The name and address of the violator.
"(2) The specific violation that was committed.
"(3) The location or port of entry through which the items were transported.
"(4) An inventory of the items seized, including a description of the items and the quantity seized.
"(5) The location from which the items originated.
"(6) The entity responsible for the apprehension or seizure, organized by location or port of entry.
"(7) The amount of penalties assessed by U.S. Customs and Border Protection, organized by name of the violator and location or port of entry.
"(8) The amount of penalties that U.S. Customs and Border Protection could have levied, organized by name of the violator and location or port of entry.
(2) THE SPECIFIC VIOLATIONS—"(B) ONGOING LACK OF COMPLIANCE.—If U.S. Customs and Border Protection determines that the United States Postal Service—
"(i) has repeatedly committed violations of section 436(a)(3)(K)(vii)(I) of the Act of 2002; and
"(ii) has a low error rate in compliance with section 343(a)(3)(K) of the Act of 2002; and
"(iii) has taken remedial action to prevent future violations of section 343(a)(3)(K)(vii)(I) of the Act of 2002; such civil penalty shall be adjusted to the extent prescribed by the Postal Service.

SEC. 8009. EFFECTIVE DATE; REGULATIONS.
(a) EFFECTIVE DATE.—This subtitle and the amendments made by this section shall take effect on the date of the enactment of this Act.
(b) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Postal Service shall prescribe regulations as are necessary to carry out this subtitle and the amendments made by this subtitle shall be prescribed.

Title B—Opioid Addiction Recovery Fraud Prevention
SEC. 8021. SHORT TITLE.
This subtitle may be cited as the “Opioid Addiction Recovery Fraud Prevention Act of 2018”.
SEC. 8022. DEFINITIONS.
For purposes of this subtitle only, and not under subsection (d) and 1 or more of the following:
"(i) The eligible entity.
"(ii) A treatment provider.
"(iii) An employer or industry organization.
"(iv) An education provider.
"(v) A faith-based or community-based organization.
"(vi) A faith-based or community-based organization.

SEC. 8023. UNFAIR OR DECEPTIVE ACTS OR PRACTICES WITH RESPECT TO SUBSTANCE USE DISORDER TREATMENT SERVICES AND PRODUCTS.
(a) UNLAWFUL ACTIVITY.—It is unlawful to engage in an unfair or deceptive act or practice with respect to any substance use disorder treatment service or substance use disorder treatment product.
(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—
"(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of section 8023(a) shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 45a) regarding unfair or deceptive acts or practices.
"(2) POWERS OF THE FEDERAL TRADE COMMISSION.—
"(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made part of this section.
"(B) PRIVILEGES AND IMMUNITIES.—Any person who violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated and made part of this section.
(c) AUTHORITY PRESERVED.—Nothing in this subtitle shall be construed to limit the authority of the Federal Trade Commission over the Food and Drug Administration under any other provision of law.

Subtitle C—Addressing Economic and Workforce Impacts of the Opioid Crisis
SEC. 8041. ADDRESSING ECONOMIC AND WORKFORCE IMPACTS OF THE OPIOID CRISIS.
(a) DEFINITIONS.—Except as otherwise expressly provided, in this section:
(1) WIOA DEFINITIONS.—The terms “core program”, “individual with a barrier to employment”, “local area”, “local board”, “operating unit”, “outlying area”, “State”, “State board”, and “supportive services” have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
(2) EDUCATION PROVIDER.—The term “education provider” means:
(A) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or
(B) a postsecondary vocational institution, as defined in section 102(c) of such Act (20 U.S.C. 1002(c)).
(3) ELIGIBLE ENTITY.—The term “eligible entity” means:
(A) a State workforce agency;
(B) an outlying area; or
(C) a Tribal entity.
(4) PARTICIPATING PARTNERSHIP.—The term “participating partnership” means a partnership—
(A) evidenced by a written contract or agreement; and
(B) including, as members of the partnership—
(i) a local board receiving a subgrant under subsection (d) and 1 or more of the following:
(ii) The eligible entity.
(iii) A treatment provider.
(iv) An employer or industry organization.
(v) An education provider.
(vi) A faith-based or community-based organization.
(vii) Other State or local agencies, including counties or local governments.
(viii) Other organizations, as determined to be necessary by the local board.
(ix) Indian Tribes or tribal organizations.
(x) Program participants.
(xi) The term ‘program participant’ means an individual who is (A) a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and
(B) enrolled with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(b) PEER RECOVERY SUPPORT SERVICES.—The term ‘provider of peer recovery support services’ means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(c) GRANT APPLICATIONS.—(1) IN GENERAL.—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

(3) ELIGIBLE ENTITIES.—An eligible entity making subgrants under this subsection shall—

(A) demonstrate that a high rate of a substance use disorder exists in the service area; or

(B) have information demonstrating significant impact on the community by problems related to opioid abuse or other substance use disorders.

(4) USE OF GRANT FUNDS.—The Secretary shall use the remaining grant funds for the administrative costs of carrying out the grant under this section.

(5) PROGRAM PARTICIPANT.—The term ‘program participant’ means an individual who is

(A) a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and
(B) enrolled with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(b) PEER RECOVERY SUPPORT SERVICES.—The term ‘provider of peer recovery support services’ means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(c) GRANT APPLICATIONS.—(1) IN GENERAL.—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

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(A) a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and
(B) enrolled with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(b) PEER RECOVERY SUPPORT SERVICES.—The term ‘provider of peer recovery support services’ means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(c) GRANT APPLICATIONS.—(1) IN GENERAL.—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

(3) ELIGIBLE ENTITIES.—An eligible entity making subgrants under this subsection shall—

(A) demonstrate that a high rate of a substance use disorder exists in the service area; or

(B) have information demonstrating significant impact on the community by problems related to opioid abuse or other substance use disorders.

(4) USE OF GRANT FUNDS.—The Secretary shall use the remaining grant funds for the administrative costs of carrying out the grant under this section.

(5) PROGRAM PARTICIPANT.—The term ‘program participant’ means an individual who is

(A) a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and
(B) enrolled with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(b) PEER RECOVERY SUPPORT SERVICES.—The term ‘provider of peer recovery support services’ means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(c) GRANT APPLICATIONS.—(1) IN GENERAL.—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

(3) ELIGIBLE ENTITIES.—An eligible entity making subgrants under this subsection shall—

(A) demonstrate that a high rate of a substance use disorder exists in the service area; or

(B) have information demonstrating significant impact on the community by problems related to opioid abuse or other substance use disorders.

(4) USE OF GRANT FUNDS.—The Secretary shall use the remaining grant funds for the administrative costs of carrying out the grant under this section.

(5) PROGRAM PARTICIPANT.—The term ‘program participant’ means an individual who is

(A) a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and
(B) enrolled with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(b) PEER RECOVERY SUPPORT SERVICES.—The term ‘provider of peer recovery support services’ means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(c) GRANT APPLICATIONS.—(1) IN GENERAL.—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

(3) ELIGIBLE ENTITIES.—An eligible entity making subgrants under this subsection shall—

(A) demonstrate that a high rate of a substance use disorder exists in the service area; or

(B) have information demonstrating significant impact on the community by problems related to opioid abuse or other substance use disorders.

(4) USE OF GRANT FUNDS.—The Secretary shall use the remaining grant funds for the administrative costs of carrying out the grant under this section.

(5) PROGRAM PARTICIPANT.—The term ‘program participant’ means an individual who is

(A) a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and
(B) enrolled with the applicable participating partnership to receive any of the services described in subsection (e)(3).
(aa) data from the National Center for Health Statistics of the Centers for Disease Control and Prevention;  
(bb) data from the Center for Behavioral Health Statistics and Quality of the Substance Abuse and Mental Health Services Administration;  
(cc) State vital statistics;  
(dd) reports from department records;  
(ee) reports from local coroners; or  
(ff) other relevant data; and  
(ii) in the case of a local board proposing to serve a population described in subsection (e)(2)(B), a demonstration of the workforce shortage in the professional area to be addressed;  
(iii) an evaluation of the potential impact on another substance use disorder, overdose deaths, or nonfatal overdose emergencies in the community;  
(iv) the strength of employer support;  
(v) the design of a work-based learning program for such individual to obtain or retain employment;  
(vi) help employers develop the curriculum of a work-based learning program for program participants and such individuals;  
(vii) help employers employ program participants in maintaining employment and recovery for not less than 12 months, as appropriate; or  
(viii) any supportive services determined necessary by the local board.

(b) CAREER AND JOB TRAINING SERVICES.—Offering career services and training services, including related services and support services, or sequentially with the services provided under subparagraphs (B) through (E), which shall include—  
(1) impacted workers and employers;  
(2) employer on-the-job or customized training programs;  
(3) full-time employment of not less than 30 hours a week; or  
(4) a plan for retaining program participants in maintaining employment for not less than 12 months, as appropriate.

(c) Initial education and skills assessments.

(d) Outpatient treatment and recovery services. —In participating partner-ship serving program participants described in paragraph (2)(A) with a substance use dis-order, providing individualized and group outpatient treatment and recovery services for such program participants that are of-fered during the day and evening, and on weekends. Such treatment and recovery services—  
(i) shall be based on a model that utilizes combined behavioral interventions and other evidence-based or evidence-informed inter-ventions; and  
(ii) may include additional services such as—  
(I) health, mental health, addiction, or other programs serving the participant such services; or  
(II) drug testing for a current substance use disorder prior to enrollment in career or training services or prior to employment;  
(III) linkages to community services, including services offered by partner organiza-tions designed to support program partici-pants; or  
(IV) referrals to health care, including referrals to substance use disorder treatment and mental health services.

(e) Supportive services. —Providing sup-portive services, which shall include services such as—  
(i) coordinated wraparound services to pro-vide maximum support for program partici-pants in maintaining employment and recovery for not less than 12 months, as appropriate;  
(ii) assistance in establishing eligibility for assistance under Federal, Tribal, and local programs providing health services, mental health services, vocational services, housing services, transportation services, social services, or services through early child-hood education programs (as defined in sec-tion 103 of the Higher Education Act of 1965 (20 U.S.C. 1005)); or  
(iii) peer recovery support services offered through programs of peer recovery support services;  
(iv) networking and mentorship opportuni-ties; or  
(v) any supportive services determined neces-sary by the local board.

(f) Initial education and skills assessments.
(G) PROVEN AND PROMISING PRACTICES.—
Leading efforts in the service area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and program participants.

(4) LIMITATIONS.—A participating partnership may not use—
(A) more than 10 percent of the funds received under a grant for the provision of treatment and recovery services, as described in paragraph (3)(D); and
(B) more than 10 percent of the funds received under a grant for the provision of supportive services described in paragraph (3)(E) to program participants.

(f) PERFORMANCE ACCOUNTABILITY.—
(1) REPORTS.—The Secretary shall establish quarterly reporting requirements for recipients of grants and subgrants under this section that, to the extent practicable, are based on the performance accountability system under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 316[f]) and, in the case of a grant awarded to an eligible entity described in subsection (a)(3)(C), section 116(h) of such Act (29 U.S.C. 3221(h)), include the indicators described in subsection (c)(1)(A)(i) of such section 116 and the requirements for local area performance reports under subsection (d) of such section 116.

(2) EVALUATIONS.—
(A) AUTHORITY TO ENTER INTO AGREEMENTS.—The Secretary shall enter into an agreement with eligible entities receiving grants under this section to pay for all or part of such evaluation.

(B) METHODOLOGIES TO BE USED.—The independent evaluation conducted on the pilot program carried out under this section to determine the impact of the program on employment of individuals with substance use disorders. The Secretary shall enter into an agreement with eligible entities receiving grants under this section to pay for all or part of such evaluation.

(g) FUNDING.—
(1) COVERED FISCAL YEAR.—In this sub-section, the term “covered fiscal year” means the years 2019 through 2023.

(2) USING FUNDING FOR NATIONAL DESIGNATED WORKER GRANTS.—Subject to paragraph (4) and notwithstanding section 132(a)(2)(A) and subtitle D of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172(a)(2)(A)), the Secretary may use, to carry out the pilot program under this section for a covered fiscal year—
(A) funds made available to carry out section 170 of such Act (29 U.S.C. 3221) for that fiscal year;

(B) funds made available to carry out section 170 of such Act (29 U.S.C. 3225) for that fiscal year; and

(C) funds that remain available under section 172(f) of such Act (29 U.S.C. 3227(f)).

(3) AVAILABILITY OF FUNDS.—Funds appropriated under section 136(c) of such Act (29 U.S.C. 3181(c)) and made available to carry out section 172 of such Act for a fiscal year shall remain available under paragraph (2) for a subsequent fiscal year until expended.

(4) LIMITATION.—The Secretary may not use more than $100,000,000 of the funds described in paragraph (2) for any covered fiscal year under this section.

Subtitle D—Peer Support Counseling Program for Women Veterans

SEC. 8051. PEER SUPPORT COUNSELING PROGRAM FOR WOMEN VETERANS.

(a) IN GENERAL.—Section 1720F(j) of title 38, United States Code, is amended by adding at the end the following new paragraph:—
"(4)(A) As part of the counseling program under this section—
(i) the Secretary shall emphasize appointing peer support counselors for women veterans. To the degree practicable, the Secretary shall seek to recruit, train, and augment peer support counselors with expertise in—
(1) female gender-specific issues and services;

(ii) the provision of information about services and benefits provided under laws administered by the Secretary; or

(iii) employment mentoring;

(B) To the degree practicable, the Secretary shall emphasize facilitating peer support counseling for women veterans who are eligible for counseling and services under section 1720D of this title, have post-traumatic stress disorder or suffer from another mental health condition, are homeless or at risk of becoming homeless, or are otherwise at increased risk of suicide, as determined by the Secretary.

(C) The Secretary shall conduct outreach to inform women veterans about the program and the assistance available under this paragraph.

(D) In carrying out this paragraph, the Secretary shall coordinate with such community organizations, State and local governments, institutions of higher education, chambers of commerce, local business organizations, organizations that provide legal assistance, and other organizations as the Secretary considers appropriate.

(E) In carrying out this paragraph, the Secretary shall provide adequate training for peer support counselors including training carried out under the national program of training required by section 304(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note)."

(b) FUNDING.—The Secretary of Veterans Affairs shall provide grants under this section to carry out paragraph (4) of section 1720F(j) of title 38, United States Code, as added by subsection (a), using funds otherwise made available to the Secretary. No additional funds are authorized to be appropriated by reason of such paragraph.

(c) REPORTS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the peer support counseling program under section 1720F(j) of title 38, United States Code, as amended by this section. Such report shall include—
(1) the number of peer support counselors in the program;

(2) an assessment of the effectiveness of the program; and

(3) a description of the oversight of the program.

Subtitle E—Treating Barriers to Prosperity

SEC. 8061. SHORT TITLE.

This subtitle may be cited as the “Treating Barriers to Prosperity Act of 2018”.

SEC. 8062. DRUG ABUSE MITIGATION INITIATIVE.

(a) IN GENERAL.—Chapter 145 of title 40, United States Code, is amended by inserting after section 14510 the following:
"14510. Drug abuse mitigation initiative.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2019 through 2023 for assistance to States to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier.

(b) ALLOCATION OF APPROPRIATED AMOUNTS.—
(1) IN GENERAL.—The amounts appropriated under this section shall be allocated based on a formula determined by the Secretary.

(2) FORMULA.—The funding formula determined by the Secretary shall take into account the following factors:

(A) the number of individuals in recovery from a substance use disorder;

(B) the number of individuals in recovery from a substance use disorder who are veterans;

(C) the number of individuals in recovery from a substance use disorder who are female veterans; and

(D) the number of individuals in recovery from a substance use disorder who are veterans or female veterans and are enrolled in a post-secondary education program.

(3) DETERMINATION OF NEEDS.—The formula shall be based on the needs of each State, eligible entity, or program area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and program participants.

(4) LIMITATION.—The Secretary may not use more than $100,000,000 of the funds described in paragraph (2) for any covered fiscal year under this section.
available under this section are allocated to States with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, according to the Centers for Disease Control and Prevention.

(B) PRIORITY.—

(i) IN GENERAL.—Among such States, priority shall be given to States with the greatest need, as determined by the Secretary based on the following factors, and weighting such factors as described in clause (ii).

(ii) The highest average rates of unemployment, on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.

(iii) The highest average labor force participation rates based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.

(iv) The highest age-adjusted rates of drug overdose deaths based on data from the Centers for Disease Control and Prevention.

(ii) WEIGHTING.—The factors described in clause (i) shall be weighted as follows:

(I) The rate described in clause (i)(I) shall be weighted at 15 percent.

(II) The rate described in clause (i)(II) shall be weighted at 25 percent.

(III) The rate described in clause (i)(III) shall be weighted at 70 percent.

(iii) DISTRIBUTION.—Amounts appropriated or otherwise made available under this section shall be distributed among the eligible States as determined by the Secretary.

(iv) USE OF FUNDS.—

(1) IN GENERAL.—Any State that receives amounts pursuant to this section shall expend at least 15 percent of such funds within one year of the date funds become available to the grantee for obligation.

(2) PRIORITY.—Any State that receives amounts pursuant to this section shall distribute such amounts giving priority to entities with the greatest need and ability to deliver effective assistance in a timely manner.

(v) ADMINISTRATIVE COSTS.—Any State that receives amounts pursuant to this section may use not more than 10 percent of the funds made available under this section for technical assistance to grantee or subgrantee.

(vi) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 8081. SUPPORTING FAMILY-FOCUSED RESIDENTIAL TREATMENT.

(a) DEFINITIONS.—In this section:

(1) FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAM.—The term ''family-focused residential treatment program'' means a trauma-informed program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with their parents or guardians during treatment to the extent appropriate and applicable.

(2) MEDICAID PROGRAM.—The term ''Medicaid program'' means the program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) GUIDANCE ON FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAMS.—The term ''title IV–E program'' means the program established under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.).

(c) MEDICAID PROGRAM.—The term ''Medicaid program'' means the program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(d) TITLE IV–E PROGRAM.—The term ''title IV–E program'' means the program established under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.).

(e) GATEWAY.—The term ''Gateway'' means a substance use disorder treatment program.

SEC. 8082. IMPROVING RECOVERY AND REUNIFICATION PROGRAM REPLICATION PROJECT.

(a) FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICA-TION PROJECT.—Section 435 of the Social Security Act (42 U.S.C. 629c) is amended by adding at the end the following:

''(e) FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICA-TION PROJECT.—

(1) PURPOSE.—The purpose of this subsection is to provide resources to the Secretary to support the conduct and evaluation of family recovery and reunification program replication projects (referred to in this subsection as the 'project') and to determine the extent to which such programs may be appropriate for use at different intervention points (such as when a child is at risk of entering foster care or when a child is living with a guardian while a parent is in treatment). The family reunification and reunification program conducted under the project shall use a recovery coach model that is designed to help reunify families and protect children from abuse or neglect while working with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

(2) PROGRAM COMPONENTS.—The family recovery and reunification program conducted under the project shall adhere closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children and, consistent with such elements and protocol, shall provide support to families and services.

(A) assessments to evaluate the needs of the parent or guardian;

(B) assistance in receiving the appropriate benefits to aid the parent or guardian in recovery;

(C) services to assist the parent or guardian in prioritizing issues identified in assessments, establishing goals for resolving such issues that are consistent with the goals of the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian or their children, and making a coordinated plan for achieving such goals.

(D) home visiting services coordinated with other family-focused residential treatment facility provider involved with the parent or guardian or their children;
case management services to remove barriers for the parent or guardian to participate and continue in treatment, as well as to re-engage a parent or guardian who is not participating or progressing in treatment.

(F) access to services needed to monitor the parent’s or guardian’s compliance with program services and the program’s control group.

(G) frequent reporting between the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian to ensure appropriate information on the parent’s or guardian’s status is available to inform decision-making.

(H) assessments and recommendations provided by a recovery coach to the child welfare caseworker responsible for documenting the parent’s or guardian’s progress in treatment and recovery as well as the status of other areas identified in the treatment plan for the parent or guardian, including a recommendation regarding the expected safety of the child if the child is returned to the custody of the parent or guardian that can be used by the caseworker and a court to make permanency decisions regarding the child.

(3) RESPONSIBILITIES OF THE SECRETARY.—

(A) IN GENERAL. —The Secretary shall, through a grant or contract with 1 or more entities, conduct and evaluate the family recovery and reunification program under the project.

(B) REQUIREMENTS.—In identifying 1 or more entities to conduct the evaluation of the family recovery and reunification program, the Secretary shall—

(i) determine that the area or areas in which the program will be conducted have sufficient substance use disorder treatment providers to provide services needed (other than those provided with funds made available to carry out the project) to successfully conduct the program.

(ii) determine that the area or areas in which the program will be conducted have enough potential program participants, and will serve a sufficient number of parents or guardians and their children, so as to allow for the formation of a control group, evaluation results to be adequately powered, and preliminary results of the evaluation to be available within 4 years of the program’s implementation;

(iii) provide the entity or entities with technical assistance and support for the program, including by working with 1 or more entities that are or have been involved in recovery coaching programs that have been rigorously evaluated to increase family reunification and protect children so as to make sure the program conducted under the project adheres closely to the elements and protocols that are most effective in such other recovery coaching programs;

(iv) assist the entity or entities in securing adequate coaching, treatment, child welfare, and other necessary resources if needed (other than those provided with funds made available to carry out the project) to successfully conduct the family recovery and reunification program under the project; and

(v) ensure the entity or entities will be able to monitor the impacts of the program in the area or areas in which it is conducted for at least 5 years after parents or guardians and their children are randomly assigned to participate in the program or to be part of the program’s control group.

(4) EVALUATION REQUIREMENTS.—

(A) IN GENERAL. —The Secretary, in consultation with the entity or entities conducting the family recovery and reunification program under the project, shall conduct an evaluation to determine whether the program, as implemented and operated, achieved its goals and resulted in improvements for children and families. The evaluation shall have 3 components: a pilot phase, an impact study, and an implementation study.

(B) PILOT PHASE.—The pilot phase component of the evaluation shall consist of the pilot program to increase family reunification and protect children as determined by the entity or entities conducting the family recovery and reunification program under the project to ensure—

(i) the implementation adheres closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated to increase family reunification and protect children; and

(ii) random assignment of parents or guardians and their children to be participants in the program and the control group of the program’s control group being carried out.

(C) IMPACT STUDY.—The impact study component of the evaluation shall determine the impacts of the family recovery and reunification program conducted under the project on the parents and guardians and their children participating in the program. The impact study component shall—

(i) be conducted using an experimental design that uses a random assignment research methodology;

(ii) consistent with previous studies of other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children, measure the differences for parents and guardians and their children over multiple time periods, including for a period of 5 years; and

(iii) include measurements of family stability and parent, guardian, and child safety for program participants and the program control group that are consistent with measurements of such factors for participants and control groups from previous studies of other recovery coaching programs so as to allow results of the impact study to be compared with the results of such prior studies, including with respect to comparisons between program participants and the program control group regarding—

(A) safe family reunification;

(B) time to reunification;

(C) permanency (such as through measures of reunification, adoption, or placement with a guardian);

(D) safety (such as through measures of subsequent maltreatment);

(E) parental or guardian treatment persistence and improvement as measured by improved family reunification and protect children so as to make sure the program conducted under the project adheres closely to the elements and protocols that are most effective in such other recovery coaching programs;

(F) access to services needed to monitor the program and the program control group to ensure—

(i) the program’s implementation adheres closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children;

(ii) random assignment of parents or guardians and their children to be participants in the program and the program control group of the program’s control group being carried out.

(G) frequent reporting between the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian to ensure appropriate information on the parent’s or guardian’s status is available to inform decision-making.

(H) assessments and recommendations provided by a recovery coach to the child welfare caseworker responsible for documenting the parent’s or guardian’s progress in treatment and recovery as well as the status of other areas identified in the treatment plan for the parent or guardian, including a recommendation regarding the expected safety of the child if the child is returned to the custody of the parent or guardian that can be used by the caseworker and a court to make permanency decisions regarding the child.

(5) APPROPRIATION.—In addition to any amounts otherwise made available to carry out this subpart, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated $15,000,000 for fiscal year 2019 to carry out the project, which shall remain available through fiscal year 2025.”.

(b) CLARIFICATION OF PAYER OF LAST RESORT APPLICATION TO CHILD WELFARE PROGRAMS.—

As added by section 471(e)(10) of the Social Security Act (42 U.S.C. 671(e)(10), as added by section 50711(a)(2) of division E of Public Law 115–123, in carrying out its responsibilities to ensure access to services or programs under this subjection, the Secretary shall not be considered to be a legally liable third party for purposes of satisfying a financial commitment for the cost of providing such services or programs with respect to any individual for whom such cost would have been paid for from another public or private source but for the enactment of this subsection (except that when considered necessary to prevent a delay in the receipt of appropriate early intervention services by a child or family in a timely fashion, funds provided under section 490B(c)(1) of such Title I may be used to recover costs associated with services or programs pending reimbursement from the public or private source that has ultimate responsibility for the payment).”.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect as if included in section 50711 of division E of Public Law 115–123.

SEC. 8803. BUILDING CAPACITY FOR FAMILY-FOCUSED RESIDENTIAL TREATMENT.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY (A) means a State, county, local, or tribal health or child welfare agency, a private nonprofit organization, a research organization, or a private or public source but for the enactment of this subsection (except that when considered necessary to prevent a delay in the receipt of appropriate early intervention services by a child or family in a timely fashion, funds provided under section 490B(c)(1) of such Title I may be used to recover costs associated with services or programs pending reimbursement from the public or private source that has ultimate responsibility for the payment).”.

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(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect as if included in section 50711 of division E of Public Law 115–123.
TREATMENT PROGRAMS.—

(1) AUTHORITY TO AWARD GRANTS.—The Secretary shall award grants to eligible entities for providing, enhancing, or evaluating family-focused residential treatment programs to increase the availability of such programs that meet the requirements for promising, supported, or well-supported practices specified in section 471(e)(4)(C) of the Social Security Act (42 U.S.C. 671(e)(4)(C)) (as added by the Family First Prevention Services Act enacted under title VII of division E of Public Law 115–123).

(2) EVALUATION REQUIREMENT.—The Secretary shall require any evaluation of a family-focused residential treatment program by an eligible entity that uses funds awarded under this section for all or part of the costs of the evaluation designed to assist in the determination of whether the program may qualify as a promising, supported, or well-supported practice in accordance with the requirements of such section 471(e)(4)(C).

(3) SAVINGS PROVISION.—Nothing in this section may be construed as limiting or otherwise affecting the requirements of the Secretary of Transportation to adhere to requirements applicable to confidential business information and sensitive security information, consistent with applicable law.

SEC. 8104. GAO REPORT ON DEPARTMENT OF TRANSPORTATION’S COLLECTION AND USE OF DRUG AND ALCOHOL TESTING DATA.

(a) IN GENERAL.—Not later than 2 years after the date the Department of Transportation public drug and alcohol testing database is established under section 8103, the Comptroller General of the United States shall—

(1) review the Department of Transportation Drug and Alcohol Testing Management Information System; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the review, including recommendations under subsection (c).

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a description of the process the Department of Transportation uses to collect and record drug and alcohol testing data submitted by employers for each mode of transportation;

(2) an assessment of whether and, if so, how the Department of Transportation uses the data described in paragraph (1) in carrying out its responsibilities; and

(3) an assessment of the Department of Transportation public drug and alcohol testing database under section 8103.

(c) RECOMMENDATIONS.—The report under subsection (a) may include recommendations regarding—

(1) how the Department of Transportation can best use the data described in subsection (b)(1); and

(2) any improvements that could be made to the process described in subsection (b)(1); and

(d) SAVINGS CLAUSE.—Nothing in this section may be construed as—

(1) altering any authority of the Secretary of Health and Human Services to determine on whether a revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs as revised by the Secretary of Transportation to include such substances is not justified; or

(2) limiting or otherwise affecting any authority of the Secretary of Health and Human Services to determine on which substances authorized to be tested to include the substance or substances determined to be justified for inclusion.

SEC. 8106. STATUS REPORTS ON HAIR TESTING PANEL.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining, in detail, the reasons the expansion of the list of authorized substances is not justified.

(b) DEPARTMENT OF TRANSPORTATION DRUG-TESTING PANEL.—If an expansion is determined to be justified under subsection (a), the Secretary of Transportation, with the advice of the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, shall—

(1) publish in the Federal Register, not later than 18 months after the date the final notice is published under subsection (a)(2), a final rule revising part 40 of title 49, Code of Federal Regulations, to include such substances in the Department of Transportation’s drug-testing Guidelines for Federal Workplace Drug Testing Programs as revised by the Secretary of Health and Human Services under subsection (a) and

(c) SAVINGS PROVISION.—Nothing in this section may be construed as—

(1) delaying the publication of the notices described in sections 8105(a) and 8105(b) of the Safe Streets Act of 1938 (35 U.S.C. 1021(a)(27)) is amended by striking “through 2021” and inserting “and 2018, and

(2) limiting or otherwise affecting any authority of the Secretary of Health and Human Services to determine on which substances authorized to be tested to include an additional substance.

SEC. 8108. STATUS REPORTS ON HAIR TESTING GUIDELINES.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, and annually thereafter until the date that the Secretary of Health and Human Services publishes in the Federal Register a final notice of scientific and technical guidelines for hair testing in accordance with section 8105, the Secretary of Commerce shall submit to the Com-
(3) an estimated date of completion of the hair testing guidelines.

(b) REQUIREMENT.—To the extent practicable and consistent with the objective of the hair testing guidelines issued in subsection (a), and to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines shall describe a process under which the Secretary of Health and Human Services, shall eliminate the risk of positive test results, of the individual being tested, caused solely by the drug use of others and not caused by the drug use of the individual being tested.

SEC. 8107. MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS USING ORAL FLUID.

(a) DEADLINE.—Not later than December 31, 2018, the Secretary of Health and Human Services shall publish in the Federal Register a final notice of the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Oral Fluid, based on the notice of proposed mandatory guidelines published in the Federal Register on May 15, 2015 (79 FR 28054).

(b) REQUIREMENT.—To the extent practicable and consistent with the objective of the testing described in subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines shall describe a process under which, as determined by the Secretary of Health and Human Services, shall eliminate the risk of positive test results, of the individual being tested, caused solely by the drug use of others and not caused by the drug use of the individual being tested.

(c) REASON OF CONSTRUCTION.—Nothing in this section may be construed to require the Secretary of Health and Human Services to reissue a notice of proposed mandatory guidelines described in subsection (a).

SEC. 8108. ELECTRONIC RECORDKEEPING.

(a) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(1) ensure that each certified laboratory that requests approval for the use of completely paperless electronic Federal Drug Testing Programs using Oral Fluid, and for the National Laboratory Certification Program’s Electronic Custody and Control Forms, is capable of implementing the final rule for the Commercial Driver’s License Drug and Alcohol Clearinghouse (81 FR 87688), including—

(1) an updated schedule, including benchmarks, for implementing the final rule as soon as practicable, but not later than the compliance date; and

(2) a description of how each action the Federal Motor Carrier Safety Administration is taking to implement the final rule before the compliance date.

(b) DEFINITION OF COMPLIANCE DATE.—In this section, the term “compliance date” means the earlier of—

(1) January 6, 2020; or

(2) the date the national clearinghouse required under section 31309a of title 49, United States Code, is operational.

Subtitle J—Eliminating Kickbacks in Drug Recovery

SEC. 8121. SHORT TITLE.

This subtitle may be cited as the “Eliminating Kickbacks in Recovery Act of 2018.”

SEC. 8122. CRIMINAL PENALTIES.

(a) OFFENSE.—Except as provided in subsection (b), whoever, with respect to services covered by a health care benefit program, in or affecting interstate or foreign commerce, knowingly and willfully—

(1) solicits or receives any remuneration (including any kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind, in return for referring a patient or patronage to a recovery home, clinical treatment facility, or laboratory; or

(2) pays or offers any remuneration (including any kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind, to influence the referral of a patient or patronage to a recovery home, clinical treatment facility, or laboratory;

shall be fined not more than $200,000, imprisoned not more than 10 years, or both, for each occurrence.

(b) APPLICABILITY.—Subsection (a) shall not apply to—

(1) a discount or other reduction in price obtained by a provider of services or other entity under a health care benefit program if the reduction in price is properly disclosed and is not in excess of the amount of costs claimed or charges made by the provider or entity;

(2) a payment made by an employee to an employer (including any kickback, bribe, or rebate) in exchange for an individual using the services of that recovery home, clinical treatment facility, or laboratory; and

(c) REGULATIONS.—The Attorney General, in consultation with the Secretary of Health and Human Services, may promulgate regulations to clarify the exceptions described in subsection (b).

(d) PREEMPTION.—This section shall not apply to conduct that is prohibited under section 1123(b)(1) of the Social Security Act (42 U.S.C. 1320–3(b)).

SEC. 8123. STATE LAW.—Nothing in this section shall be construed to occupy the field in which any provisions of this section operate to the exclusion of State laws on the subject matter.

(e) DEFINITIONS.—In this section—

(1) the terms ‘applicable beneficiary’ and ‘applicable drug’ have the meanings given those terms in section 1860D–14A(g) of the Social Security Act (42 U.S.C. 1395w–114(g));

(2) the term ‘clinical treatment facility’ means a medical setting, other than a hospital, that provides detoxification, risk reduction, outpatient treatment and care, residential treatment, or rehabilitation for substance use, pursuant to licensure or certification under State law;

(3) the term ‘health care benefit program’ has the meaning given the term in section 1902 of title 1860D–14A of the Social Security Act (42 U.S.C. 1395w–114(g));

(4) the term ‘laboratory’ has the meaning given the term in section 353 of the Public Health Service Act (42 U.S.C. 263a); and

(5) the term ‘recovery home’ means a shared living environment that is, or purported to be, free from alcohol and illicit drug use and centered on peer support and connection to services that promote sustained recovery from substance use disorders.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 18, United States Code, is amended by inserting after the item related to section 219 the following:

“220. Illegal remunerations for referrals to recovery homes, clinical treatment facilities, and laboratories.”
Subtitle K—Substance Abuse Prevention

SEC. 8201. SHORT TITLE.

This subtitle may be cited as the “Substance Abuse Prevention Act of 2018”.

SEC. 8202. REAUTHORIZATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY.

(a) Office of National Drug Control Policy Reauthorization Act of 1998.—

(1) IN GENERAL.—The Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), as in effect on September 29, 2003, and as amended by the laws described in paragraph (2), is revived and restored.

(2) LAWS DESCRIBED.—The laws described in this paragraph are:


(b) Reauthorization.—

(1) IN GENERAL.—Section 714 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1714) is amended by striking paragraph (2), as so amended, and reinserting—

(2) TECHNICAL CORRECTION.—In paragraph (4), by striking “and broad, national-level experience in substance abuse and misuse” and inserting “and broad, national-level experience in substance use and misuse”;

(3) AMENDMENT TO TERMINATION PROVISION.—Section 1009 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 note) is amended to read as follows:

SEC. 8203. REAUTHORIZATION OF THE DRUG-FREE COMMUNITIES PROGRAM.

(a) Revival of National Narcotics Leadership Act of 1988.—

(1) IN GENERAL.—Chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.), as in effect on September 29, 1997, and as amended by the laws described in paragraph (2), is revived and restored.

(2) AMENDMENT TO TERMINATION PROVISION.—Section 1009 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 note) is amended by striking “through 1035” after “section 1007”.

(b) Effective Date.—The amendments made by subparagraph (A) shall take effect as though included as part of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–499; 120 Stat. 3532).

SEC. 8204. REAUTHORIZATION OF THE NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE.

Section 4 of Public Law 107–82 (21 U.S.C. 1712 note) is amended to read as follows:

SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE.

(a) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by subsection (d), make a competitive grant to carry out this chapter.

(b) ELIGIBLE ORGANIZATIONS.—An organization eligible for the grant under subsection (a) is any national nonprofit organization that represents, provides technical assistance and training to, and has special expertise in the field of experience in community antidrug coalitions under this chapter.

(c) USE OF GRANT AMOUNT.—The organization designated under this chapter to carry out this chapter shall use the grant amount to—

(1) provide education, training, and technical assistance to coalitions and community teams, with emphasis on the development of coalitions serving economically disadvantaged areas;

(2) develop and implement evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and

(3) bridge gaps in knowledge research and practice by translating knowledge from research into practical information.

SEC. 8205. REAUTHORIZATION OF THE HIGH-INTENSITY DRUG TRAFFICKING AREA PROGRAM.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1717a) is amended by striking “(2) in subsection (f), by striking “no Federal and all that follows through “programs,” and inserting the following: “not more than a total of Federal funds appropriated for the Program are expended for substance use disorder treatment programs and drug prevention programs”;

“(2) in subsection (p) —

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(6) not more than $200,000,000 for each of fiscal years 2018 through 2023.”;

and

(3) in subsection (q) —

(A) by striking paragraph (2) and inserting the following:

“(2) REQUIRED USES.—The funds used under paragraph (1) shall be used to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of witnesses of illegal drug distribution and related activities and the establishment of, or support for, programs that provide protection or assistance to witnesses in court proceedings.”;

and

(B) by adding at the end the following:

“(3) BEST PRACTICE MODELS.—The Director shall work with HIDTAs to develop and maintain best practice models to assist law enforcement and tribal authorities in addressing witness safety, relocation, financial and housing assistance, or any other services related to witness protection or assistance in cases of illegal drug distribution and related activities. The Director shall ensure dissemination of the best practice models to each HIDTA.”.

SEC. 8206. REAUTHORIZATION OF DRUG COURT PROGRAM.

Section 1003(a)(25)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 1702) is amended by striking “Except as provided” and all that follows and inserting the following: “Except as provided in subparagraph (b), there is authorized to be appropriated to carry out part EE $75,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 8207. DRUG COURT TRAINING AND TECHNICAL ASSISTANCE.

Section 705 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1717b) is amended by adding at the end the following:

“(c) Drug Court Training and Technical Assistance Program.—

(1) GRANTS AUTHORIZED.—The Director shall make a grant to a nonprofit organization for the purpose of providing training and technical assistance to drug courts.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 8208. DRUG OVERDOSE RESPONSE STRATEGY IMPLEMENTATION.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1717c) is amended by adding at the end the following:

“(c) Drug Overdose Response Strategy Implementation.—The Director may use the funds appropriated for the Program are expended for substance use disorder treatment programs and drug prevention programs.”;

(2) in subsection (p) —

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(6) not more than $200,000,000 for each of fiscal years 2018 through 2023.”;

and

(3) in subsection (q) —

(A) by striking paragraph (2) and inserting the following:

“(2) REQUIRED USES.—The funds used under paragraph (1) shall be used to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of witnesses of illegal drug distribution and related activities and the establishment of, or support for, programs that provide protection or assistance to witnesses in court proceedings.”;

and

(B) by adding at the end the following:

“(3) BEST PRACTICE MODELS.—The Director shall work with HIDTAs to develop and maintain best practice models to assist law enforcement and tribal authorities in addressing witness safety, relocation, financial and housing assistance, or any other services related to witness protection or assistance in cases of illegal drug distribution and related activities. The Director shall ensure dissemination of the best practice models to each HIDTA.”.

SEC. 8206. REAUTHORIZATION OF DRUG COURT PROGRAM.

Section 1003(a)(25)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 1702) is amended by striking “Except as provided” and all that follows and inserting the following: “Except as provided in subparagraph (b), there is authorized to be appropriated to carry out part EE $75,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 8207. DRUG COURT TRAINING AND TECHNICAL ASSISTANCE.

Section 705 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1717b) is amended by adding at the end the following:

“(c) Drug Court Training and Technical Assistance Program.—

(1) GRANTS AUTHORIZED.—The Director shall make a grant to a nonprofit organization for the purpose of providing training and technical assistance to drug courts.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this title $2,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 8208. DRUG OVERDOSE RESPONSE STRATEGY IMPLEMENTATION.—The Director may use
funds appropriated to carry out this section to implement a drug overdose response strategy in high intensity drug trafficking areas on a nationwide basis by—

(1) increasing multi-disciplinary efforts to prevent, reduce, and respond to drug overdoses, including the uniform reporting of fatal and non-fatal overdoses to public health services; and

(2) increasing data sharing among public safety and public health officials concerning drug-related abuse trends, including new psychoactive substances, and related crime; and

(3) enabling collaborative deployment of prevention, intervention, and enforcement resources to address substance use addiction and narcotics trafficking.

SEC. 8209. PROTECTING LAW ENFORCEMENT OFFICERS FROM ACCIDENTAL EXPOSURE.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706), as amended by section 8208, is amended by adding at the end the following:

“(s) SUPPLEMENTAL GRANTS.—The Director is authorized to use not more than $10,000,000 of the amounts otherwise appropriated to carry out this section to provide supplemental competitive grants to high intensity drug trafficking areas that have experienced high rates of fentanyl and new psychoactive substances for the purposes of—

(1) purchasing portable equipment to test for fentanyl and other substances;

(2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and

(3) purchasing protective equipment, including overdose reversal drugs.”

SEC. 8210. COPS ANTI-METH PROGRAM.


(1) by redesignating subsection (k) as subsection (i); and

(2) by inserting after subsection (i) the following:

“(k) COPS ANTI-METH PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section to provide grants to State, local, and tribal governments, and other entities to purchase protective equipment, including overdose reversal drugs.”

SEC. 8211. COPS ANTI-HEROIN TASK FORCE PROGRAM.


(1) by redesignating subsection (l), as so redesignated by section 8210, as subsection (m); and

(2) by inserting after subsection (k), as so redesignated by section 8210, the following:

“(l) COPS ANTI-HEROIN TASK FORCE PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section to provide grants to State, local, and tribal governments, and other entities to purchase protective equipment, including overdose reversal drugs, for a fiscal year beginning with fiscal year 2019 to make competitive grants to State law enforcement agencies in States with a 1 per 1,000 ratio of reported drug overdose fatalities to population, or high rates of primary treatment admissions, for the purpose of locating or investigating illicit activities, through Statewide collaboration, relating to the distribution of fentanyl, or other fentanyl analog, or other drug use or relating to the unlawful distribution of prescription opioids.”

SEC. 8212. COMPREHENSIVE ADDICTION AND RECOVERY ACT EDUCATION AND AWARENESS.

Title VII of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198; 130 Stat. 735) is amended by adding at the end the following:

“SEC. 700. SERVICES FOR FAMILIES AND PATIENTS IN CRISIS.

“(a) IN GENERAL.—The Secretary of Health and Human Services shall make grants to entities that focus on addiction and substance use disorders and specialize in family and patient services, advocacy for patients and families, and educational information.

“(b) ALLOWABLE USE.—A grant awarded under this section may be used for nonprofit national, State, or local organizations that engage in the following activities:

(1) Expansion of resource centers services with professional, clinical staff that provide, for families and individuals impacted by a substance use disorder, support, access to treatment resources, brief assessments, medication and overdose prevention education, compassionate listening services, recovery support or peer specialists, bereavement and grief support, and case management.

(2) Continued development of health information technology systems that leverage new and upcoming technology and techniques for prevention, intervention, and filling resource gaps in communities that are underserved.

(3) Enhancement and operation of treatment and recovery resources, easy-to-read scientific and evidence-based education on addiction and substance use disorders, and other informational tools for families and individuals impacted by a substance use disorder and other stakeholders, such as law enforcement agencies.

(4) Provision of training and technical assistance to State and local governments, law enforcement agencies, the health care systems, research institutions, and other stakeholders.

(5) Expanding and implementing educational information using evidence-based information on substance use disorders.

(6) Expansion of training of community stakeholders of government officers, families across a broad-range of addiction, health, and related topics on substance use disorders, local issues and community-specific issues with respect to epidemic.

(7) Program evaluation.”

SEC. 8213. REIMBURSEMENT OF SUBSTANCE USE DISORDER TREATMENT PROFESSIONALS.

Not later than January 1, 2020, the Comptroller General of the United States shall submit to Congress a report examining how substance use disorder services are reimbursed.

SEC. 8214. SOBRIETY TREATMENT AND RECOVERY TEAM PROGRAM.

Title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following:

“SEC. 550. SOBRIETY TREATMENT AND RECOVERY TEAM.

“(a) IN GENERAL.—The Secretary may make grants to States and units of local government, or tribal governments to establish or expand Sobriety Treatment And Recovery Team (referred to in this section as ‘START’) or other similar programs to determine the effectiveness of pairing social workers or mentors with families that are struggling with a substance use disorder and child abuse to help provide peer support, intensive treatment, and child welfare services to such families.

“(b) ALLOWABLE USE.—A grant awarded under this section may be used for one or more of the following activities:

(1) Training eligible staff, including social workers, social services coordinators, child welfare specialists, substance use disorder treatment professionals, and mentors.

(2) Expanding access to substance use disorder treatment services and drug testing.

(3) Enhancing data sharing with law enforcement agencies, child welfare agencies, substance use disorder treatment providers, judges, and court personnel.

(4) Program evaluation and technical assistance.

“(c) PROGRAM REQUIREMENTS.—A State, unit of local government, or tribal government receiving a grant under this section shall—

(1) serve only families for which—

(A) there is an open record with the child welfare agency; and

(B) substance use disorder was a reason for the record or finding described in paragraph (1); and

(2) coordinate any grants awarded under this section with any grant awarded under section 437(f) of the Social Security Act focused on improving outcomes for children affected by substance abuse.

“(d) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 5 percent of funds provided under this section to provide technical assistance on the establishment or expansion of programs under this section from the National Center on Substance Abuse and Child Welfare.”

SEC. 8215. PROVIDER EDUCATION.

Not later than 60 days after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of Health and Human Services, shall establish the plan related to medical registration coordination and the related topics on substance use disorders, local issues and community-specific issues with respect to epidemic.


(1) by striking paragraphs (5), (12), and (13); and

(2) by redesignating paragraph (11) as paragraph (17); (3) by redesigning paragraphs (9) and (10) as paragraphs (14) and (15), respectively;

(4) by redesigning paragraphs (6), (7), and (8) as paragraphs (11), (12), and (13), respectively;

(5) by redesigning paragraphs (1), (2), (3), and (4) as paragraphs (3), (4), (5), and (6), respectively;

(6) by inserting before paragraph (3), as so redesignated, the following:

“(A) AGENCY.—The term ‘agency’ has the meaning given the term ‘executive agency’ in section 102 of title 31, United States Code.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES.—

(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘executive agency’ in section 102 of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—

(A) IN GENERAL.—The term ‘appropriate congressional committees’ means—

(i) the Committee on the Judiciary, the Committee on Appropriations, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(ii) the Committee on Oversight and Government Reform, the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives, respectively.

(B) SUBMISSION TO CONGRESS.—Any submission to Congress shall mean submission to the appropriate congressional committees.

(7) by amending paragraph (3), as so redesignated, to read as follows:

(3) DEMAND REDUCTION.—The term ‘demand reduction’ means any activity conducted by a National Drug Control Program Agency, other than an enforcement activity,
that is intended to reduce or prevent the use of drugs or support, expand, or provide treatment and recovery efforts, including—

(A) education about the dangers of illicit drug use;

(B) services, programs, or strategies to prevent substance use disorder, including evidence-based education campaigns, community education programs, collection and disposal of unused prescription drugs, and services to at-risk populations to prevent or delay initial use of an illicit drug; (C) substance use disorder treatment;

(D) support for long-term recovery from substance use disorders;

(E) drug-free workplace programs;

(F) drug testing, including the testing of employees;

(G) interventions for illicit drug use and dependence;

(H) expanding availability of access to health care services for the treatment of substance use disorders;

(I) international drug control coordination and cooperation with respect to activities described in this paragraph;

(J) pre- and post-arrest criminal justice intervention programs, such as diversion programs, drug courts, and the provision of evidence-based treatment to individuals with substance use disorders who are arrested or under investigation, criminal justice diversion, including medication assisted treatment;

(K) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs;

(1) international illicit drug use education, prevention, treatment, recovery, research, surveillance, and interventions for illicit drug use and dependence; and

(M) research related to illicit drug use and any of the activities described in this paragraph;

(8) by inserting after paragraph (6), as so redesignated, the following:

(7) EMERGING DRUG THREAT.—The term ‘emerging drug threat’ means the occurrence of a new and growing trend in the use of an illicit drug or class of drugs, including rapid expansion in the supply of or demand for such drug.

(8) ILICIT DRUG USE: ILICIT DRUGS; ILLEGAL USE OF ILICIT DRUGS; ILLICIT DRUGS; and ‘illegal drugs’ include the illegal or illicit use of prescription drugs.

(9) LAW ENFORCEMENT.—The term ‘law enforcement’ or ‘drug law enforcement’ means all efforts by a Federal, State, local, or Tribal government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.’;

(9) by amending paragraph (11), as so redesignated, to read as follows:

(11) NATIONAL DRUG CONTROL PROGRAM AGENCY.—The term ‘National Drug Control Program Agency’ means any agency or bureau, office, independent agency, board, division, commission, subdivision, unit, or other component thereof that is responsible for implementing any aspect of the National Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy, but does not include any agency that maintains drug control activity solely under the National Intelligence Program or the Joint Military Intelligence Program.

(E) in paragraph (12), as so redesignated—

(A) by inserting ‘or ‘Strategy’’ before ‘means’; and

(B) by inserting ‘‘, including any report, plan, or strategy required to be incorporated into or issued concurrently with such strategy’’ before the period at the end;

(11) by inserting after paragraph (12), as so redesignated, the following:

(13) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.;

(12) in paragraph (14), as so redesignated, by striking ‘‘Unless the context clearly indicates otherwise, the’’ and inserting ‘‘The’’;

(13) by inserting after paragraph (15), as so redesignated, the following:

(16) SUBSTANCE USE DISORDER TREATMENT.—The term ‘substance use disorder treatment’ means an evidence-based, professionally directed, deliberate, and planned regimen including evaluation, observation, medical monitoring, and rehabilitative services and interventions such as pharmacotherapy, behavioral therapy, and individual and group counseling, on an inpatient or outpatient basis, to help patients with substance use disorder reach recovery; and

(14) in paragraph (17), as so redesignated—

(A) by redesignating subparagraphs (B), (C), (D), and (E), as subparagraphs (C), (D), (E), and (F), respectively;

(B) by inserting after subparagraph (A) the following:

‘‘(B) domestic law enforcement;’’

(C) in subparagraph (E), as so redesignated, by striking ‘‘and’’ at the end;

(D) in subparagraph (F), as so redesignated, by striking, by striking the period at the end and inserting a semicolon;

(E) by adding at the end the following:

‘‘(G) activities to prevent the diversion of drugs for their illicit use; and

(H) research in the field of the activities described in this paragraph.’’.

SEC. 8217. AMENDMENTS TO ADMINISTRATION OF THE OFFICE.

(a) RESPONSIBILITIES OF OFFICE.—Section 703(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1702(a)) is amended—

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

‘‘(1) lead the national drug control effort, including coordinating with the National Drug Control Policy Reauthorization Act of 1998;’’;

(2) in paragraph (2), by inserting before the semicolon the following: ‘‘, including the National Drug Control Strategy’’;

(3) in paragraph (3), by striking ‘‘and’’ at the end; and

(4) by striking paragraph (4) and all that follows through ‘‘the National Academy of Sciences’’ and inserting the following:

‘‘(4) evaluate the effectiveness of national drug control policy efforts, including the National Drug Control Program Agencies’ programs, by identifying and pursuing milestones and performance metrics and providing to the President an assessment of progress toward achieving the goals and performance measurements and monitoring the agencies’ program-level spending;’’;

(b) DIRECTOR.—Section 703(d) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1702(d)) is amended by adding at the end the following:

‘‘(4) ETHICS GUIDELINES.—The Director shall establish written guidelines setting forth the criteria to be used in determining whether a gift or donation should be declined under this subsection because the acceptance of the gift or donation would—

(B) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services;’’.

(5) REGISTRY OF GIFTS.—The Director shall maintain a list of—

(A) the source and amount of each gift or donation accepted by the Office; and

(B) the source and amount of each gift or donation accepted by a contractor to be used in its performance of a contract for the Office.

(6) REPORT TO CONGRESS.—The Director shall include in the annual assessment under section 708(g) a copy of the registry maintained under this paragraph.


(1) in paragraph (1), by striking subparagraphs (A), (B), and (C), and inserting the following:

‘‘(A) Director.—

‘‘(i) IN GENERAL.—There shall be at the head of the Office a Director who shall hold the same rank and status as the head of an executive department listed in section 101 of title 5, United States Code.

‘‘(ii) APPOINTMENT.—The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President.

‘‘(B) Deputy Director.—There shall be a Deputy Director who shall report directly to the Director, and who shall be appointed by the President, and shall serve at the pleasure of the President.

(2) in paragraph (2), by inserting before the Semicolon the following:

‘‘(II) Interim Director, as described in section 707(c);’’;

(III) Emerging and Continuing Threats Coordinator, as described in section 709;

(IV) State, Local, and Tribal Affairs Coordinator, to carry out the activities described in section 704(j);’’;

(6) Demand Reduction Coordinator, as described in subparagraph (D);

(7) DEMAND REDUCTION COORDINATOR.—The Director shall designate or appoint a United States Demand Reduction Coordinator to be responsible for the activities described in section 703(c). The Director shall determine whether the coordinator position is a noncareer appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).’’;

(2) in paragraph (5), by striking ‘‘such official’’ and inserting ‘‘such officer or employee’’;

(3) by adding at the end the following:

‘‘(6) PROHIBITION ON THE USE OF FUNDS FOR BALLOT INITIATIVES.—No funds authorized under this title may be obligated for the purpose of expressly advocating the passage or defeat of a State or local ballot initiative.’’;

(d) CONSULTATION.—Section 706(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(b)) is amended—
1 in paragraph (b), by inserting "and" and inserting a semicolon;
(2) in paragraph (b), by striking the period at the end and inserting "and";
(3) by adding at the end the following:

"(2) IN GENERAL.—The Director shall determine whether the coordinator position is a noncareer appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).

(3) HARM REDUCTION PROGRAMS.—When developing the national drug control policy, any policy of the Director, including policies relating to syringe exchange programs for intravenous drug users, on the best available medical and scientific evidence regarding the effectiveness of such policy in promoting individual health and preventing the spread of infectious disease and the impact of such policy on drug addiction and use. In making any policy relating to harm reduction programs, the Director shall consult with the National Institute of Health and the National Academy of Sciences.


(1) in subsection (d)—

(A) by striking paragraph (d), (B) by striking "and" at the end;
(B) in subparagraph (E)—

(i) in clause (1)—

(I) by striking "Congress, including the Committees on Appropriations of the Senate and the House of Representatives, the authorizing committees for the Office," and inserting "the appropriate congressional committees"; and

(ii) by striking "or agencies"; and

(ii) by inserting "and" at the end;

(ii) by adding at the end the following:

"(iii) funds may only be used for—

(I) expansion of demand reduction activities;

(II) interdiction of illicit drugs on the high seas, in United States territorial waters, and at other ports of entry by officers and employees of National Drug Control Program Agencies and domestic and foreign law enforcement officers;

(III) accurate assessment and monitoring of international drug production and interdiction programs and policies;

(IV) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among National Drug Control Program Agencies and to—

(a) develop and facilitate the sharing of information identifying:

(i) drug use issues in the State involved.

(b) review at the end of each fiscal year and shall ensure they meet the requirements of this subsection by utilizing, updating, or improving information identifying:

(i) any available performance metrics, evaluations, or other information indicating the effectiveness of such programs;

(ii) any available performance metrics, evaluations, or other information indicating the effectiveness of such programs.

(3) UPDATING EXISTING SYSTEMS.—The Director shall—

(1) in paragraph (2)—

(A) redesign or appoint a United States State, and Tribal Affairs Coordinator to perform the duties of the Chief Tribal Affairs Coordinator and work in coordination with the Secretary of Health and the National Academy of Sciences.

(B) facilitate efforts to identify duplications, overlap, or gaps in funding to provide increased accountability of Federally-funded grants for substance use disorder treatment, prevention, and enforcement;

(C) identify barriers in the grant application process impediments that applicants currently have in the grant application process and with applicable agencies.

1 The head of each National Drug Control Program Agency shall provide to the Director a complete list of all drug control program grants programs and any other relevant information for inclusion in the system developed under paragraph (1) and annually update such list.

2 AUTHORIZING EXISTING SYSTEMS.—The Director may meet the requirements of this subsection by utilizing, updating, or improving existing Federal information systems to ensure the meet the requirements of this subsection.

(4) REPORT.—Not later than 3 years after the date of enactment of this subsection, the Director shall submit to Congress a report examining implementation of this subsection.

"(j) STATE, LOCAL, AND TRIBAL AFFAIRS COORDINATOR.—The Director shall designate or appoint a United States State, Local, and Tribal Affairs Coordinator to perform the duties of the Chief Tribal Affairs Coordinator and work in coordination with the Secretary of Health and the National Academy of Sciences.

"(k) HARM REDUCTION PROGRAMS.—When developing the national drug control policy, any policy of the Director, including policies relating to syringe exchange programs for intravenous drug users, on the best available medical and scientific evidence regarding the effectiveness of such policy in promoting individual health and preventing the spread of infectious disease and the impact of such policy on drug addiction and use. In making any policy relating to harm reduction programs, the Director shall consult with the National Institute of Health and the National Academy of Sciences.


(1) in subsection (d)—

(A) by striking paragraph (d), (B) by striking "and" at the end;

SEC. 8218. EMERGING THREATS COMMITTEE, PLAN, AND MEDIA CAMPAIGN.

(a) In General.—Section 709 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708) is amended to read as follows:

"SEC. 709. EMERGING THREATS COMMITTEE, PLAN, AND MEDIA CAMPAIGN.

"(a) EMERGING THREATS COORDINATOR.—The Director, in consultation with the Committee, and the head of each National Drug Control Program Agency, may designate an emerging drug threat in the United States.

"(b) EMERGING THREATS COMMITTEE.—

"(1) In general.—The Emerging Threats Committee shall—

"(A) monitor evolving and emerging drug threats in the United States;

"(B) discuss evolving and emerging drug trends in the United States using the criteria required to be established under paragraphs (C) and (D);

"(C) assist in the formulation of and oversee implementation of any plan described in subsection (d);

"(D) provide such other advice to the Coordinator and Director concerning strategy and policies for emerging drug threats and trends as the Committee determines to be appropriate.

"(2) Timings.—Concurrently with the annual submissions under section 706(g), the Director shall update the plan and report on implementation of the plan, until the Director determines it is no longer necessary to update the plan. The Director, in consultation with the President, the appropriate congressional committees, and the head of each National Drug Control Program Agency, may designate an emerging drug threat as appropriate.

"(3) CONTENTS OF AN EMERGING THREAT RESPONSE PLAN.—The Director shall include in the plan required under this subsection—

"(A) a comprehensive strategic assessment of the emerging drug threat, including the characteristics and causes of the drug threat, the extent extent of the drug threat, and the costs of the drug threat;

"(B) comprehensive, research-based, short- and long-term, quantifiable goals for addressing the emerging drug threat, including goals for reducing the demand for the drug designated as the emerging drug threat and for expanding the availability and effectiveness of evidence-based substance use disorder treatment and prevention programs to reduce the demand for the emerging drug threat;

"(C) performance measures pertaining to the plan's goals, including quantifiable and measurable objectives and specific targets;

"(D) the level of funding needed to implement the plan, including whether funding is available or required to support implementation of the plan or whether additional appropriations are necessary to implement the plan;

"(E) an implementation strategy for the media campaign under subsection (f), including as described in paragraph (C) of this paragraph; and

"(F) any other information necessary to inform the public of the status, progress, or response of an emerging drug threat.

"(4) IMPLEMENTATION.—

"(a) In General.—Not later than 120 days after the date on which a designation is made under subsection (c), the Director, in consultation with the President, the appropriate congressional committees, and the head of each National Drug Control Program Agency, shall issue guidance on implementation of the plan described in this subsection to the National Drug Control Programming Agencies and any other relevant agency determined to be necessary by the Director.

"(b) Responsibilities.—The Coordinator shall—

"(i) direct the implementation of the plan among the agencies identified in the plan, State, local, and Tribal governments, and other relevant entities;

"(ii) facilitate information-sharing between agencies identified in the plan, State, local, and Tribal governments, and other relevant entities;

"(iii) monitor implementation of the plan by coordinating the development and implementation of collection of systems to support performance measurement and adherence to the plan by agencies identified in the plan, where appropriate.

"(5) NATIONAL ANTI-DRUG MEDIA CAMPAIGN.—

"(a) In general.—The Director shall, to the extent feasible and appropriate, conduct a national anti-drug media campaign (referred to in this subtitle as the 'national media campaign') in accordance with this subsection for the purposes of—

"(A) preventing substance abuse among people in the United States;

"(B) encouraging individuals affected by substance use disorders to seek treatment and providing such individuals with information on—

"(i) how to recognize addiction issues;

"(ii) what forms of evidence-based treatment options are available; and

"(iii) how to access such treatment;

"(C) combating the stigma of addiction and substance use disorders, including the stigma of treating such disorders with medication-assisted treatment therapies; and

"(D) informing the public about the dangers of any drug identified by the Director as an emerging drug threat as appropriate.

"(b) Use of Funds.—

"(1) In general.—Amounts made available to carry out this subsection for the national media campaign may only be used for the following:

"(A) purchase of media time and space, including the strategic planning for, tracking, and accounting of, such purchases.

"(2) Use of Funds.—

"(A) In general.—Amounts made available to carry out this subsection for the national media campaign may only be used for the following:

"(i) purchase of media time and space, including the strategic planning for, tracking, and accounting of, such purchases.

"(ii) promotion of evidence-based prevention programs targeting risk attitudes, perceptions, and beliefs of persons concerning substance use and intentions to initiate or continue such use;

"(iii) educating the public about the dangers and negative consequences of substance use and abuse, including patient and family education about the characteristics and hazards of substance abuse and safe-guard against substance use, to include the safe disposal of prescription medications;

"(B) supporting evidence-based prevention programs targeting risk attitudes, perceptions, and beliefs of persons concerning substance use and intentions to initiate or continue such use;

"(C) providing resources for individuals affected by substance use disorders to seek treatment and providing such individuals with information on—

"(i) how to recognize addiction issues;

"(ii) what forms of evidence-based treatment options are available; and

"(iii) how to access such treatment;

"(D) combating the stigma of addiction and substance use disorders, including the stigma of treating such disorders with medication-assisted treatment therapies; and

"(E) informing the public about the dangers of any drug identified by the Director as an emerging drug threat as appropriate.
“(ii) Creative and talent costs, consistent with subparagraph (B)(i).

“(iii) Advertising production costs, which may include television, radio, internet, social media, and other commercial marketing venues.

“(iv) Testing and evaluation of advertising.

“(v) Evaluation of the effectiveness of the national media campaign.

“(vi) Costs of contracts to carry out activities authorized by this subsection.

“(vii) Partnerships with professional and civic organizations, faith-based organizations, including faith-based organizations, and government organizations related to the national media campaign.

“(viii) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

“(ix) Operational and management expenses.

“(B) SPECIFIC REQUIREMENTS.—

“(1) CREATIVE SERVICES.—In using amounts for creative and talent costs under subparagraph (A)(ii), the Director shall use creative services purchased at no cost to the Government wherever feasible and may only procure creative services for advertising—

“(I) responding to high-priority or emergent campaign needs that cannot timely be obtained at no cost; or

“(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost.

“(2) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under subparagraph (A)(iv), the Director shall test all advertisements prior to use in the national media campaign to ensure that the advertisements are effective with the target audience and meet industry-accepted standards. The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this subsection in a fiscal year and no more than 10 percent of the advertising space purchased under this subsection in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the national media campaign.

“(3) CONSULTATION.—For the planning of the campaign under paragraph (1), the Director may consult with—

“(I) the head of any appropriate National Drug Control Program Agency;

“(II) experts on the designated drug;

“(III) Tribal officials and Tribal government officials and relevant agencies;

“(IV) national marketing and advertising expertise;

“(V) the public; and

“(VI) appropriate congressional committees.

“(4) EVALUATION OF EFFECTIVENESS OF NATIONAL MEDIA CAMPAIGN.—In using amounts for the evaluation of effectiveness of the national media campaign under subparagraph (A)(v), the Director shall—

“(I) designate an independent entity to evaluate by April 20 of each year the effectiveness of the national media campaign based on data from—

“(aa) the Monitoring the Future Study published by the Department of Health and Human Services;

“(bb) the National Survey on Drug Use and Health; and

“(cc) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards.

“(II) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to changes in attitude or behaviors among the target audience with respect to substance abuse and such other measures of evaluation as the Director determines are appropriate.

“(5) ADVERTISING.—In carrying out this subsection, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

“(6) RESPONSIBILITIES AND FUNCTIONS UNDER THIS SUBSECTION.—

“(A) IN GENERAL.—The Director shall determine the overall purposes and strategy of the national media campaign.

“(B) DIRECTOR.—

“(i) The strategy of the national media campaign.

“(ii) All advertising and promotional material used in the national media campaign; and

“(iii) the plan for the purchase of advertising time and space for the national media campaign.

“(7) IMPLEMENTATION.—The Director shall be responsible for implementing a focused national media campaign to meet the purposes set forth in paragraph (1) and shall ensure—

“(i) information disseminated through the campaign is accurate and scientifically valid; and

“(ii) the campaign is designed using strategies demonstrated to be the most effective in achieving the goals and requirements of paragraph (1), which may include—

“(aa) a media campaign, as described in paragraph (2);

“(bb) local, regional, or population specific messaging;

“(cc) the development of websites to publicize and disseminate information;

“(dd) conducting outreach and providing educational resources for parents;

“(ee) collaborating with law enforcement agencies; and

“(ff) providing support for school-based public health education classes to improve teen knowledge about the effects of substance use.

“(8) REPORT TO CONGRESS.—The Director shall submit an annual report to Congress that describes—

“(A) the strategy of the national media campaign and whether specific objectives of the national media campaign were accomplished;

“(B) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national media campaign;

“(C) plans to purchase advertising time and space; and

“(D) policies and practices implemented to ensure that Federal funds are used responsibly, including each recipient of Federal funds, the purpose of each expenditure, the amount of each expenditure, any available outcome information, and any other information necessary to provide a complete accounting of the funds expended and

“(E) a review and evaluation of the effectiveness of the national media campaign strategy for the past year.

“(9) REQUIRED NOTICE FOR COMMUNICATION FROM THE OFFICE.—Any communication, including an advertisement, paid for or otherwise disseminated by the Office directly or through a contract awarded by the Office shall include a prominent notice informing the audience that the communication was paid for by the Office.

“(10) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office to carry out this section, $25,000,000 for each of fiscal years 2018 through 2023.

SEC. 8219. DRUG INTERDICTION.

(a) REPEAL.—This first section 711 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1710) is repealed.


(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “The United” and inserting “The Director shall designate or appoint an appointee in the Senior Executive Service or an appointee in a position at level 15 of the General Schedule (or equivalent) as the United”;

(ii) by striking “shall” and inserting “to”;

(B) in paragraph (2)—

(i) by striking “March 1” and inserting “September 1”;

(ii) by striking “paragraph (3)” and inserting “paragraph (4)”;

(C) in paragraph (3)—

(i) by striking “also, at his discretion,;”;

and

(ii) by striking “the Office of Supply Reduction” and inserting “assist in carrying out such responsibilities”;

and

(D) in paragraph (4)—

(i) in subparagraph (B), by striking “The United” and inserting “and”;

(ii) by striking subparagraphs (C) and (E); and

(E) in paragraph (5)—

(i) by striking “prior to March 1” and inserting “September 1”;

(ii) by striking “subparagraph (C)” and inserting “paragraph (4)”;

(iii) by inserting “and”;

and

(iv) by striking “the second sentence and inserting the following: ‘The report required under this paragraph shall be in unclassified form, but may include a classified annex;’”;

and

(v) by adding at the end the following:

“(2) STATE AND LOCAL COMMITMENT.—The Director and the appropriate congressional committees report containing an evaluation of and recommendations on the—

(A) policies and activities of the programs and operations; and

(B) economy, efficiency, and effectiveness in the administration of the reviewed programs and operations; and

(C) policies and management changes needed to prevent and detect fraud and abuse in such programs and operations.

SEC. 8220. GAO AUDIT.

(a) In General.—Section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708(f)) is amended to read as follows:

SEC. 706. NATIONAL DRUG CONTROL STRATEGY.

(a) In General.—Section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708(f)) is amended to read as follows:
“(iii) an estimate of Federal funding and other resources needed to achieve such goal; and
“(iv) a list of existing or newly emerging policy approaches that may be used to develop evidence to support the National Drug Control Strategy, which shall—

(i) include in the National Drug Control Strategy goals and planned actions to address such challenges.

(ii) state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing the plan;

(iii) identify the specific resources required to enable the relevant National Drug Control Agencies to implement that strategy, and

(iv) describe the roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy.

(3) ADDITIONAL STRATEGIES.—

(A) IN GENERAL.—The Director shall include in the National Drug Control Strategy the additional strategies described under paragraph (2)(C) of this subsection for implementing the Counternarcotics Strategy established by an Executive order, or whose purpose is to—

(i) protect the infrastructure of the United States and Mexico, including through port security and other ports of entry on the border;

(ii) protect the national security of the United States and Mexico, including through counternarcotics programs in the United States.

(B) REQUIREMENT FOR SOUTHWEST BORDER CONTERRNARCOTICS STRATEGY.—

(i) PURPOSES.—The Southwest Border Counternarcotics Strategy shall—

(I) set forth the Government’s strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on the border;

(ii) state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy; and

(iii) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy.

(ii) SPECIFIC CONTENT RELATED TO CROSS-BORDER INDIAN RESERVATIONS.—The Northern Border Counternarcotics Strategy shall include—

(I) a strategy to end the illegal trafficking of drugs to or through Indian reservations or near international border between the United States and Canada, and

(ii) recommendations for additional assistance, if any, needed by Tribal law enforcement agencies to prevent the illegal trafficking of drugs across the international border between the United States and Canada, and

(iii) recommendations for additional assistance, if any, needed by Tribal law enforcement agencies to prevent the illegal trafficking of drugs across the international border between the United States and Canada, and

(iv) PERFORMANCE EVALUATION.—The Director shall prepare an annual performance evaluation plan for each National Drug Control Program Agency and shall consult with the following:

(A) The public;

(B) Any evaluation or analysis units and personnel of the Office;

(C) Office officials responsible for implementing privacy policy.

(E) The appropriate congressional committees.

(F) Any other individual or entity as determined by the Director.

(G) REQUIREMENT FOR NORTHERN BORDER COUNTERRNARCOTICS STRATEGY.—

(i) PURPOSES.—The Northern Border Counternarcotics strategy shall—

(I) set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Canada, including through ports of entry and between ports of entry on the border;

(ii) state the specific roles and responsibilities of each relevant National Drug Control Program Agency for implementing the strategy;

(iii) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement the strategy.

(IV) REQUIREMENT FOR UNIFIED COUNTERNARCOTICS STRATEGY.—

(A) IN GENERAL.—The Director shall include in the National Drug Control Strategy a plan to—

(i) expand treatment of substance use disorders for persons who construct or use such a tunnel or subterranean passage for such a purpose.

(B) REQUIREMENT FOR NATIONAL DRUG CONTROL STRATEGY.—If the Director determines that the National Drug Control Strategy in effect is not sufficiently effective or

(C) REQUIREMENT FOR SUBMIT NATIONAL DRUG CONTROL STRATEGY.—If the Director determines that the National Drug Control Strategy in effect is not sufficiently effective or

(D) REQUIREMENT FOR SUBMIT NATIONAL DRUG Control Strategy to Congress in accordance with subsection (a)(2), not later than five days
disaggregated by State and, to the extent feasible, by region within a State, county, or city, the following:

(1) The number of fatal and non-fatal overdoses for each drug identified under subparagraph (A)(i);

(2) The prevalence of substance use disorders;

(3) The number of individuals who have received substance use disorder treatment, including medication assisted treatment, for a substance use disorder, including treatment provided through publicly-financed health care programs.

(iv) The extent of the unmet need for substance use disorder treatment, including the unmet need for medication-assisted treatment.

(v) Data sufficient to show the extent of prescription drug diversion, trafficking, and misuse in the calendar year and each of the previous 3 calendar years.

(vi) Any quantifiable measures the Director determines to be appropriate to detail progress toward the achievement of the goals of the National Drug Control Strategy.

(2) PROCESS FOR DEVELOPMENT OF THE ANNUAL ASSESSMENT.—Not later than November 1 of each year, the head of each National Drug Control Program Agency shall submit, in accordance with the law and regulations issued by the Director, to the Director an evaluation of progress by the agency with respect to the National Drug Control Policy goals for the fiscal year ending and each of the previous 3 calendar years.

(3) DATA.—The data included in the Drug Control Data Dashboard shall be updated quarterly to the extent practicable, but not less frequently than annually and shall include, at a minimum, the following:

(A) For each substance identified by the Director as having a significant impact on the prevalence of the use of such substance in the United States, including—

(i) data sufficient to show the quantities of such substance available in the United States, including—

(II) the known and estimated flows into the United States from all sources in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable, sortable, and searchable format, or to the extent practicable, establish and publish to the online portal of the Office to be known as the ‘Drug Control Data Dashboard’.

(ii) crime and criminal activity related to such substance;

(iii) the known and estimated levels of domestic production in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable format and searchable by year, agency, drug, and location.

(3) DATA.—The data included in the Drug Control Data Dashboard shall be updated quarterly to the extent practicable, but not less frequently than annually and shall include, at a minimum, the following:

(A) For each substance identified by the Director as having a significant impact on the prevalence of the use of such substance in the United States, including—

(i) data sufficient to show the quantities of such substance available in the United States, including—

(II) the known and estimated flows into the United States from all sources in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable, sortable, and searchable format, or to the extent practicable, establish and publish to the online portal of the Office to be known as the ‘Drug Control Data Dashboard’.

(ii) crime and criminal activity related to such substance;

(iii) the known and estimated levels of domestic production in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable format and searchable by year, agency, drug, and location.

(3) DATA.—The data included in the Drug Control Data Dashboard shall be updated quarterly to the extent practicable, but not less frequently than annually and shall include, at a minimum, the following:

(A) For each substance identified by the Director as having a significant impact on the prevalence of the use of such substance in the United States, including—

(i) data sufficient to show the quantities of such substance available in the United States, including—

(II) the known and estimated flows into the United States from all sources in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable format and searchable by year, agency, drug, and location.

(ii) crime and criminal activity related to such substance;

(iii) the known and estimated levels of domestic production in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable format and searchable by year, agency, drug, and location.

(3) DATA.—The data included in the Drug Control Data Dashboard shall be updated quarterly to the extent practicable, but not less frequently than annually and shall include, at a minimum, the following:

(A) For each substance identified by the Director as having a significant impact on the prevalence of the use of such substance in the United States, including—

(i) data sufficient to show the quantities of such substance available in the United States, including—

(II) the known and estimated flows into the United States from all sources in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable format and searchable by year, agency, drug, and location.

(ii) crime and criminal activity related to such substance;

(iii) the known and estimated levels of domestic production in the calendar year and each of the previous 3 calendar years, including to the extent practicable, the data made available in a machine-readable format and searchable by year, agency, drug, and location.
There was no objection.

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

I have dozens and dozens of letters of support for this legislation; 90 or 100 different letters of support from different groups, 124 names, it looks like, that will be read in the Record.

Statements and Letters of Support from:


1. A New PATH, San Diego, California
2. Addiction Policy Forum
3. AIDS United
4. Alabama, Addiction Policy Forum
5. Alaska, Addiction Policy Forum
6. American Correctional Association
7. Arizona, Addiction Policy Forum
8. Association of Prosecuting Attorneys
9. Beyond Addiction, Ministry, WI
10. Brave Health
11. CADA of Northwest Louisiana
12. California Consortium of Addiction Programs & Professionals (CCAPP)
13. California Addiction Policy Forum
14. Campaign for Youth Justice
15. Caron Treatment Centers
16. CFC Loud N Clear Foundation, Farmingdale, New Jersey
17. Chicago Recovering Communities Coalition, Chicago, Illinois
18. Colorado, Addiction Policy Forum
19. Community Anti-Drug Coalitions of America (CADCA)
20. Connecticut Certification Board
22. Connecticut, Addiction Policy Forum
23. COPEs
24. Dare2Dream Recovery Support Services & Cafe, Green Bay, Wisconsin
25. Delaware, Addiction Policy Forum
26. Delphi Behavioral Health Group
27. Dipsea
28. El Paso Alliance, El Paso, Texas
29. Faces & Voices of Recovery
30. FAVOR Low Country, Charleston, South Carolina
31. FAVOR Tri-County, Rock Hill, South Carolina
32. FeedCURB
33. Fellowship Foundation Recovery Community Organization, Margate, Florida
34. Floridians for Recovery, West Palm Beach, Florida
35. Foundation for Recovery, Las Vegas, Nevada
36. Friends of Emmett
37. H.O.P.E. S.O. Forever
38. Healthcare Leadership Council
39. IC & RC
40. Idaho, Addiction Policy Forum
41. Illinois Association of Behavioral Health
42. Illinois, Addiction Policy Forum
43. Indiana, Addiction Policy Forum
44. Institute for Behavior and Health (IBH)
45. Iowa, Addiction Policy Forum
46. Jackson Area Recovery Community, Jackson, Michigan
47. Kansas, Addiction Policy Forum
48. Kentucky, Addiction Policy Forum
49. Kingston NH Lions Foundation
50. Lifehouse Recovery Connection, San Diego, California
51. Maine Alliance for Addiction Recovery, Augusta, Maine
52. Maine, Addiction Policy Forum
53. Maryland House Detox
54. Maryland, Addiction Policy Forum
55. Massachusetts, Addiction Policy Forum
56. Michigan, Addiction Policy Forum
57. Minnesota Recovery Connection, Minneapolis, Minnesota
58. Minnesota, Addiction Policy Forum
59. Mississippi Recovery Network, Jefferson City, Missouri
60. Missouri, Addiction Policy Forum
61. Montana, Addiction Policy Forum
62. National Association of Social Workers (NASW)
63. National Prevention Science Coalition
64. National Recovery Coalition
65. Navigate Recovery Gwinnett, Gwinnett County, Georgia
67. Nevada, Addiction Policy Forum
68. New Hampshire, Addiction Policy Forum
69. New Jersey, Addiction Policy Forum
70. New Mexico, Addiction Policy Forum
71. New York, Addiction Policy Forum
72. North Carolina, Addiction Policy Forum
73. North Dakota, Addiction Policy Forum
74. Ohio Citizen Advocates for Addiction Recovery, Columbus, Ohio
75. Ohio, Addiction Policy Forum
76. Oklahoma, Addiction Policy Forum
77. Oregon, Addiction Policy Forum
78. PEER Wellness Center
79. PEER Recovery Alliance, Bay City, Michigan
81. Pennsylvania, Addiction Policy Forum
82. People Advocating Recovery, Louisville, Kentucky
83. Phoenix House Recovery Residences
84. PILR Athens, Athens, Georgia
85. Reality Check, Jaffrey, New Hampshire
86. Recover Wyoming, Cheyenne, Wyoming
87. Recovery Communities of North Carolina, Raleigh, North Carolina
88. Recovery Community Connection, Williamsport, Pennsylvania
89. Recovery Community of Durham, Durham, North Carolina
90. Recovery Data Solutions
91. Rhode Island, Addiction Policy Forum
92. ROcovery Fitness, Rochester, New York
93. Shatterproof
94. Smart Approaches to Marijuana Action (SAM Action)
95. SMART Recovery, Nationwide
96. Sobriety Matters
97. Solutions Recovery, Oshkosh, Wisconsin
98. South Dakota, Addiction Policy Forum
99. SpiritWorks Foundation, Williamsburg, Virginia
100. Springs Recovery Connection, Colorado Springs, Colorado
101. Strengthening the Mid-Atlantic Region for Tobacco (SMART)
102. Tennessee, Addiction Policy Forum
103. Texas, Addiction Policy Forum
104. The DOCL—DeKalb Open Opportunity for Recovery, Decatur, Georgia
105. The McShin Foundation, Richmond, Virginia
106. The Moyer Foundation
107. The Phoenix, Nationwide
108. The RASE Project, Harkersburg, Pennsylvania
109. The Solano Project, Fairfield, California
110. Treatment Communities of America
111. Trilogy Recovery Community, Walla Walla, Washington
112. Trust for America’s Health
113. Utah, Addiction Policy Forum
114. Vermont, Addiction Policy Forum
115. Virginia, Addiction Policy Forum
116. Voices of Hope Lexington, Lexington, Kentucky
117. Voices of Recovery San Mateo County, San Mateo, California
118. WAI-IAM, Inc. and RISE Recovery Community, Lansing, Michigan
119. Washington, Addiction Policy Forum
120. Washtenaw Recovery Advocacy Project (WRAP), Ann Arbor, Michigan
121. West Virginia, Addiction Policy Forum
122. Wisconsin Voices for Recovery, Madison, Wisconsin
123. Wisconsin, Addiction Policy Forum
124. Wyoming, Addiction Policy Forum

Mr. WALDEN. Mr. Speaker, I rise today in support of H.R. 6. This is the SUPPORT for Patients and Communities Act that your Energy and Commerce Committee has worked on diligently for nearly 2 years.

In my own case, in 10 roundtables throughout Oregon, I have heard from everyday people on the frontlines of this fight in our communities. They are the victims. They are the families. They are medical professionals. They are treatment advocates. They are local law enforcement, and they are first responders. They are our neighbors. They are our loved ones.

Each of these people puts a name and a face to what I would say is the worst drug epidemic we have seen in America, the opioid crisis.

I have heard from Oregon families, I have heard from Mike and Winnie, from Grants Pass, who have seen their loved one struggle with addiction. Mike’s sister who died, she was a nurse, became addicted, and overdosed. He told me that at a townhall in a community forum. Their son struggles with his addiction to this day from a sports injury starting with opioids, ending with heroin.

We will never know what could have become of the 72,000 Americans who died last year.

Every 24 hours, 1,000 people go to emergency rooms overdosing from opioids. Roughly 115 die.

I heard it from Paula, whose two sons and stepson struggle with their opioid addiction today.

As a parent, I can only imagine what parents of children with opioid addiction must feel every time the phone rings. They think it may be that call.

For the millions of people currently struggling with addiction, please know, don’t give up. It is never too late to seek help. We stand together.

Mr. Speaker, this legislation is a product of months of bipartisan, bicameral work, eight House committees involved, I think probably every Member of this House, five Senate committees, dozens and dozens of Members of Congress.

And the faces that we came to know are the parents and the children whom they lost, Amanda Beatrice Gray being one of them, a beautiful young woman, talented, struggling with her issues, overdosed on heroin heavily laced with fentanyl.

We are here for them, Mr. Speaker. We are here for our neighbors, for our
Mr. Speaker, because we are going to hear from a lot of our Members who have put so much work into this, I reserve my time.

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

I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act. This bill is the product of many months of hard work by several committees in the House and Senate. It is important that we pass this bill today as another step in addressing the opioid crisis that is ravaging every community in our Nation.

Last year, a record 72,000 Americans died of drug overdoses; that is about 200 people dying every day, and this is a national crisis that is devastating families and that this Congress must act on.

And while this legislation will not solve every problem, I do believe it includes important policies that will help turn the tide of this tragic opioid epidemic. It will also improve treatment options for those battling other substance use disorders.

I am proud that H.R. 6 builds upon CARA, the Comprehensive Addiction and Recovery Act, by including a provision championed by my colleague, Congresswoman Tonko, that would allow all advanced practice registered nurses to treat patients with opioid-use disorder. It also gives nurse practitioners and physician assistants the authority to treat patients with bupen permanently, and it codifies the 275 patient physician cap. This is a critical step in expanding access to the treatment of these drugs, one of the major challenges that we continue to face in the fight against this epidemic.

Mr. Speaker, the legislation also expands access to coverage. It includes an important provision that I worked on with Ways and Means Committee Ranking Member NEAL that expands Medicare coverage of opioid treatment programs and medication-assisted treatment.

In the Medicaid space, I am pleased to see the inclusion of several Democratic priorities. This bill requires State Medicaid programs to cover all forms of medication-assisted treatment, which plays a critical and lifesaving role in treating opioid use disorder.

It provides grants to State Medicaid programs to help increase the number of substance use disorder providers and services. It increases access to mental health and substance use disorder treatment for children and pregnant women covered by CHIP, and it ensures former foster youth are able to keep their Medicaid coverage across State lines up to the age of 26. And it improves the contingency of Medicaid coverage for juveniles in the justice system.

I am also pleased that we have been able to improve upon the House-passed IMD policy. This bill adds new safeguards to ensure that States continue to provide an adequate level of outpatient services and offer medication-assisted treatment. It does this by making clear that this policy does not impact the more comprehensive efforts to provide care for those that is ongoing in many States today.

H.R. 6 also includes provisions from my legislation, the SCREEN Act, that would give the Food and Drug Administration the ability to take action against illicit controlled substances coming in through international mail facilities across the country. FDA will now be able to prohibit the importation of drugs by people who have repeatedly imported illicit drugs. It also allows the agency to cease distribution of or recall controlled substances, like opioids, if they are endangering patients.

These provisions also provide FDA expanded authority and capacity needed to more effectively combat the influx of deadly synthetic opioids, like fentanyl, from reaching our shores through the first place. It also provides the Federal Trade Commission with stronger enforcement tools to go after bad actors that are taking advantage of the suffering of individuals combating addictions.

Mr. Speaker, there is one provision that is concerning and that I do want to mention. It did not go through regular order and was not properly vetted. In fact, it was added at the very last minute. That is a proposal by Senator Rubio to create a new criminal antikickback statute.

I know this proposal is well-intentioned in addressing the serious problem of patient brokers who are taking advantage of individuals with opioid use disorder by directing them to substandard or fraudulent providers in exchange for kickbacks. This is an issue, but since the bill was introduced last Tuesday night, multiple stakeholders have raised concerns that the language does not do what we think it does. It may have unintended consequences.

Mr. Speaker, I hope this is a good lesson to all of us that passing legislation that has not been properly vetted, and that the public has not had an adequate time to review, is unwise. I hope to get a commitment from Chairman WALDEN and Chairman GOODLATTE to work to address any technical problems with this provision in the upcoming months.

In closing, Mr. Speaker, these are all policies that have the potential to make a real impact on this epidemic, but our work here is not complete. An epidemic of this size will take a long-term commitment to improving health insurance coverage, treatment, access, and affordability.

This bill is an important step, but I want to stress that we have to do a lot more. The opioid crisis continues to get worse. A lot more needs to be done to provide treatment and expand the treatment infrastructure. More resources are needed to support the families and communities impacted by this crisis. So what we are doing today is clearly helpful, but it is not enough.

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

Mr. WALDEN. Mr. Speaker, I am honored to yield 1 minute to the gentleman from Texas (Mr. BRADY), the distinguished and talented chairman of the House Ways and Means Committee.

Mr. BRADY of Texas. Mr. Speaker, I thank Chairman WALDEN and Ranking Member PALLONE for their work. The opioid crisis, as you know, has impacted every community in America, has robbed countless individuals of their full potential. We all know someone who lost a loved one because they were exposed to opioids and then became addicted. Sometimes, in routine surgery, they didn’t even need it.

This can be prevented, and that is why I rise today in support of H.R. 6. This is bicameral and bipartisan. It addresses this crisis by place many commonsense measures to reduce the unnecessary prescribing of opioids and get people treatment once they become addicted.

Mr. Speaker, I want to thank the ranking member of the Ways and Means Committee, Mr. NEAL; the ranking member of the Health Subcommittee, Mr. LEVIN; as well as leaders on our side and Mr. ROSKAM, Mr. GOSPEL, Mr. PAULSEN, and Mr. BISHOP for authorizing key provisions of H.R. 6. They will save lives and heal communities.

Mr. PALLONE. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. NEAL), the ranking member of the Ways and Means Committee who worked so hard on this legislation as well.

Mr. NEAL of Massachusetts. Mr. Speaker, I rise in support of H.R. 6, the SUPPORT for Patients and Communities Act, and I want to acknowledge Mr. PALLONE, Mr. WALDEN, and Mr. BRADY, the chairman of the Ways and Means Committee, for the good work that they have offered on this as well.

The opioid crisis is not a partisan issue. It is a health, safety, family, community, and economic issue. Everybody in this Chamber today has a family member or knows someone close to them who is connected to the opioid crisis.

H.R. 6 represents the best of bipartisan and bicameral negotiation. This is, indeed, the way policy can and should be done.

The bill includes a number of Democratic priorities to expand treatment options for our neighbors, family members, and friends suffering from opioid use disorders. It includes my bill, with Member PALLONE, that would require Medicare to cover opioid treatment programs so that our Nation’s seniors might have more outpatient options for treatment.
Opioid use disorders are rapidly growing among Medicare beneficiaries. In 13 States, the highest rate of opioid-related inpatient hospital stays is amongst those over 65. This policy would give Medicare beneficiaries increased access to a range of medication and behavioral treatment options, leading to more hope for long-term recovery.

I am also pleased that H.R. 6 includes the Securing the International Mail Against Opioids Act, which would help to stop the flow of opioids through the United States. This legislation stems from the STOP Act, a bill that I worked on with Mr. Tiberi before his retirement earlier this year. I want to commend him, in addition to Trade Subcommittee Ranking Member Pascrell, for their work on this bipartisan legislation.

While the bill before us is a step in the right direction, this epidemic is not going to turn around overnight. It needs a thoughtful, long-term, sustainable approach that requires significant Federal investments. H.R. 6 represents the initial step in addressing this crisis, but it cannot be the end. Part of that long-term approach must include protecting and strengthening Medicaid and the Affordable Care Act.

I want to take a moment to thank the staff on both sides of the aisle for their usual good work in this Chamber, for the weeks of hard effort they put in bringing this bill to fruition. The effort exemplifies bipartisan cooperation, and a particular thanks to House and Senate legislative counsel who worked long nights and weekends to finish the bill.

Thanks also to the CMS Office of Legislation and the staff of the Congressional Budget Office who played a critical role in finalizing the bill.

This is a complicated issue, and H.R. 6 is not going to solve the public health epidemic that is spreading on the edges of our national crisis, but it certainly is a good start. I encourage all of us here in this Chamber today and in Congress to continue to work together to develop policy solutions for members of our community who are suffering from this terrible epidemic.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Indiana (Mrs. BROOKS), and concur in my colleague’s comments in praise of the staff that we worked with to get this done. The gentleman has been a real leader.

Mrs. BROOKS of Indiana. Mr. Speaker, the opioid and heroin crisis continues to hit Hoosiers hard. Sadly, we haven’t turned the tide yet.

It is growing, the future of Americans in every State in our Nation. We must support those battling addiction.

I have met with so many Hoosiers battling addiction. I visited treatment centers and recovery houses like the La Vergne Lodge for men and Ohana House Sober Living for women. I have talked with addicts and those battling addiction about what is working and what is not working with different recovery options.

Passing the strong bipartisan bill before us today is critically important. It will help ensure that more people have better access to treatments, and we can try to save more lives across this country.

Mr. PALLONE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. CUMMINGS), the ranking member of the Oversight and Government Reform Committee.

Mr. CUMMINGS. Mr. Speaker, I want to thank Mr. PALLONE for yielding, and for his great work on this legislation.

Mr. Speaker, I rise in support of provisions in this package reauthorizing and reforming the Office of National Drug Control Policy to improve coordination of our national response to the drug crisis.

At my request, the bill creates a demand reduction coordinator position, parallel to the existing interdiction coordinator. It also includes funding for reduction initiatives, including efforts to expand treatment.

Among other critical reforms, this legislation also requires ONDCP to report whether drug control program funding is adequate to achieve the goals of the National Drug Control Strategy. It requires the compilation of essential data on overdoses, deaths, and interdiction in a data dashboard, so the American people have a clear, accessible picture of the effectiveness of efforts to combat the drug crisis.

I thank Chairman GOWDY, Chairman MEADOWS, and Vice Ranking Member CONNOLLY for working with me to develop legislation that will reform ONDCP. I thank Chairman GRASSLEY, Ranking Member FEINSTEIN, and Senator CORNYN for their leadership.

Let me also give special thanks to the committee staff and, I must say, to the majority and the minority staff. They did a phenomenal job working hard in conference and throughout this effort. Without their extraordinary efforts, this legislation would not be in this package today.

Mr. Speaker, I close with a simple warning. There are a lot of people suffering. Almost 198 people die a day—a day. Those are the people who are dying, but there are a lot of people in the pipeline who are in so much pain, they don’t even know they are in pain. So while the dollars in H.R. 6 are important, without significantly expanding access to treatment and wrap-around services through long-term, sustained funding, we continue to nibble at the edges of our national crisis, and the crisis will continue to worsen.

Mr. Speaker, I thank the gentleman for yielding.

Mr. WALDEN. Mr. Speaker, it is my great honor and high privilege to yield 1 minute to the gentleman from Wisconsin (Mr. RYAN), the Speaker of the House and my dear friend and classmate from the class of ’98.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to talk about something that is really close to all of our hearts. We have reached a point in this country where opioid overdoses claim more than 100 lives every day and each and every single day.

Think about that for a moment, more than 100 lives every day. Mothers and fathers are burying sons and daughters, or in some cases, sons and daughters are burying mothers and fathers.

I bring this up simply to impart the gravity of the situation, which makes our response all the more urgent. But while the situation is certainly grave, that does not mean that we should ever lose hope.

As we have worked on this legislation we will soon send to the President, we all had to go out and gain an understanding of the facts on this issue. Everybody on both sides of the aisle spent so much time on this bill. In doing that, we have gleaned so much understanding.

And that is, after all, how our Republic works. That is what the people’s House does. We learn from our constituents. We hear their stories. We see the suffering, and then we act.

This is a fantastic moment of people coming together to solve a problem. I think, in this process, we gained something very special.

Many of us heard the stories from incredible souls who have known un-speakable loneliness and who struggle with drug addiction. They made it through to the other side.

We met family members and friends who have known the pain and the fear that accompanies loving someone wrestling with addiction. Every one of us knows somebody or is related to somebody who has gone through this.

We met those who will never again have the chance to see the ones that they love so much.

Amid the overwhelming darkness, we have gotten to see their spark, their strength. From this pain has come something more powerful: resolve and a passion to make sure that others have a safe place to turn, that this doesn’t happen to their family.

Witnessing this kind of strength, witnessing this kind of resilience, is what helped produce this legislation. Through these bills, we are trying to ensure that anyone who needs help is not too isolated to receive it.

We are giving our communities the resources that they need to provide stronger treatment networks and support systems. That is where the healing happens. That is where Americans are at our best.

If this legislation can save one life and bring help to one person, that is what matters.

It is going to do far more than that.

Mr. Speaker, I rise today to talk about something that is really close to all of our hearts. We have reached a point in this country where opioid overdoses claim more than 100 lives every day and each and every single day.

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If this legislation can save one life and bring help to one person, that is what matters.

It is going to do far more than that.

So I want to thank all of those who were brave enough to share their stories with all of us. I want to thank all of those people who all of us met with...
Representative BEN RAY LUJAN of New Mexico incorporates legislation that I have in small step for our Nation on its road of filling my voice. And it is because of them and day out. They fill my heart; they have encountered stories of individuals, and a dad who left behind two and a dad who left behind two parents to be challenged by the scourge of the opioid epidemic: a father who lost his guardianship is written in this legislation. There are no lost causes. No one is permanently down. It is about offering a helping hand, and it is about opening our hearts.

Mr. Speaker, I am very proud of this legislation. I am so thankful to our colleagues on both sides of the aisle who came together to put these families and to put these communities first.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. Tosto), a member of the committee.

Mr. TONKO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, all across my district, I have heard stories of individuals and families whose lives have been irrevocably changed by the scourge of the opioid epidemic: a father who lost his daughter too young and is pouring his grief into advocacy, a former neighbor and a dad who left behind two children, a child who is walking the hard path of recovery and showing others how to do the same.

These are the stories I hear day in and day out. They fill my heart; they fill my soul. It is because of them that I am so very proud to cast a vote in favor of H.R. 6 today. It is my hope that this legislation will be another small step for our Nation on its road of recovery from this epidemic.

I am particularly proud that this bill incorporates legislation that I have introduced, along with my good friend Representative BERNIE SANDERS of Vermont, which will provide a meaningful expansion to the quality of addiction treatment by allowing additional healthcare providers, such as nurse midwives, to prescribe buprenorphine, a medication-assisted treatment for opioid use disorder. In addition, this provision will make permanent buprenorphine-prescribing authority for nurse practitioners and physician assistants and allow certain providers to treat more patients in the first year of their license.

This bill makes a big difference for individuals struggling from addiction across our country, especially in rural areas, and for vulnerable populations like pregnant women and 13,000 babies born every year with neonatal abstinence syndrome.

I also want to highlight the inclusion of my Medicaid Reentry Act into this bill, which aims to improve care for individuals who are leaving jail or prison and reentering a community setting.

The SPEAKER pro tempore (Mr. JOSUH HICE of Georgia). The time of the gentleman has expired.

Mr. PALLONE. Mr. Speaker, I yield an additional 30 seconds to the gentleman from New York.

Mr. TONKO. These individuals are highly vulnerable to opioid overdose due to lack of effective addiction treatment while incarcerated. By passing this legislation, we will allow States to engage in demonstration projects to improve medical care and transition-related services to Medicaid-eligible incarcerated individuals in the 30 days prior to their release, reducing the risk of overdose and individuals coming back into the community for a second chance. I truly believe that this provision will transform lives.

I thank Ranking Member PALLONE, Chairman WALDEN, and their staffs for their continued efforts in this process. Without their dedicated, bipartisan work, we would not be making this progress today.

Mr. Speaker, I urge my colleagues to support this legislation. Mr. WALDEN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. BURGESS). The country is well served by his chairmanship of the Subcommittee on Health.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, H.R. 6 is by far the most comprehensive legislation to address this national crisis. While more work remains—and I am the first to admit it—it provides meaningful solutions and vital resources for our States and localities.

Many of the priorities developed by the Energy and Commerce Committee are included in H.R. 6, like the 21st Century Tools for Pain and Addiction Treatment Act, partially repealing the institutions for mental disease exclusion and strengthening interagency coordination at our international mail facilities so that, perhaps, once and for all, we can do something about this poison coming into our country from eastern Asia to the detriment of our citizens.

I believe H.R. 6 could have been stronger. It could have included language with Dr. UCSHON to ensure that medical professionals have full knowledge of their patient's opioid history.

The Safe Disposal of Unused Medication Act fixes a critical gap in our laws by permitting hospice employees from disposing of unused opioids after a patient has passed away or the medication is no longer needed.

Finally, I was pleased to work on language with Dr. BUCSHON to ensure that the Welcome to Medicare wellness exam includes a review of potential substance misuse disorder.

As we pass this legislation to combat this epidemic which has claimed so many lives, we cannot forget the 22 million people who do live in pain. We cannot let the pendulum go either way.

Mr. WALDEN. Mr. Speaker, it is now my privilege to yield 30 seconds to the gentleman from Ohio (Mr. LATTA), the very effective chairman of our Digital Commerce and Consumer Protection Subcommittee.

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 6. This legislation will make a significant difference to tens of thousands of Americans who are struggling with addiction.

I am also pleased that my bill, the INFO Act, is part of the fight against the opioid crisis. The INFO Act is essential to ensuring we are providing behavioral health professionals, advocates, physicians, and families with the tools, resources, and funding information they need to prevent, identify, and treat addiction.

Furthermore, H.R. 6 is critically important to stop the flow of illegal opioids, prevent the misuse of drugs, and help those who are addicted. With 190 Americans dying every day from overdoses, it is time to act now.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Texas.
Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico (Mr. BEN RAY LUJÁN). Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act.

This is an important step forward in the fight against the Nation’s opioid epidemic. However, this Congress must acknowledge that this is not the end. Healthcare is a right, not a privilege. There is much more work to do to ensure that families get the help that they deserve.

I am pleased that this package includes language that I have championed to address gaps in prevention and gaps in access to treatment. In addition, this bill will create pathways to behavioral healthcare jobs in communities like New Mexico.

Still, Congress must do more. As we have heard from Representative CUMMINGS, this is going to take much more money, investment, and comprehensive legislation.

Mr. WALDEN. Mr. Speaker, I am privileged to yield 30 seconds to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Mr. Speaker, I rise in support of the SUPPORT for Patients and Communities Act.

One of the main things I hear back home is how our Nation’s ongoing opioid crisis has affected either themselves, their loved ones, or their community.

Mothers, fathers, children, bankers, dentists, bus drivers, or high school athletes, anyone can fall victim to opioid use disorder. That is why I am proud to work with my colleagues in support of the act so that we can help these people who are suffering from this terrible epidemic.

Mr. Speaker, I urge my colleagues to support this critical legislation so that we can deliver relief to those communities.

Mr. BILIRAKIS. Mr. Speaker, the SUPPORT for Patients and Communities Act is the product of a year of hearings and investigations into America’s opioid crisis.

This thoughtful bipartisan legislation will provide more tools to our communities to combat opioid misuse and abuse that I included my legislative efforts to help Medicare beneficiaries, begin reform to the sober home industry, and address the problem of patient brokering.

We need to pass this bill and give our constituents the help they need.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. JOHNSON), who is a leader on this issue.

Mr. JOHNSON of Ohio. Mr. Speaker, today is the culmination of months of tireless work driven by heartbreaking stories of people whose lives were destroyed by opioid addiction, and, just as importantly, the powerful stories of hope and recovery.

I am grateful for the hard work of my colleagues and our Energy and Commerce staff. I am proud that my legislation to improve how health professional students are taught to recognize, prevent, and address addiction, as well as to expand the availability of telehealth and peer support services for those struggling with addiction is included.

Mr. Speaker, I am looking forward to continuing the hard work ahead on this very important issue, and I urge support for the bill.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. BUCSHON), who is a talented physician on our committee.

Mr. BUCSHON. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act.

This bipartisan bill will help our struggling communities to combat the opioid epidemic by increasing access and improving care to those in need and preventing new occurrences of opioid misuse and abuse.

Section 2002, which I authored, would provide screening for chronic pain, address possible non-opioid pain alternatives, and increase early detection of opioid use disorder in seniors as they enter Medicare.

Mr. Speaker, I am proud to have worked with my colleagues on solutions to this serious epidemic, and I urge support of H.R. 6.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. WALBERG) to speak on the measure.
Mr. WALSENG. Mr. Speaker, I rise today in strong support of this bipartisan package to address the opioid crisis devastating our communities.

This legislation includes two provisions authored by myself and my good friend from Michigan, Congresswoman Debbie Dingell.

One will help safely dispose of unused drugs and prevent their diversion into the community. The other, Jessie’s Law, honors the memory of Jessie Grubb and will help prevent future overdose tragedies under medical care.

Mr. Speaker, this critical legislation will help save and rebuild lives. I urge its passage today, and I look forward to its quickly advancing to the President’s desk.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Illinois (Mr. ROSEKAM).

Mr. ROSEKAM. Mr. Speaker, what a joy it is to be on the floor today. What a joy it is to be amongst a group of people who have set aside partisanship and have come together to address a crisis that is crushing our constituents. What a joy it is to be a part of the process and among a group of people who are trying to find common ground.

This is a good day, Mr. Speaker. There is good work that is happening. I chair the Health Subcommittee, and it was incredible to see the work that that subcommittee did on the Ways and Means Committee.

Mr. Speaker, I am pleased to strongly endorse this bill, and I urge its passage.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I am honored to yield 30 seconds to the gentleman from Minnesota (Mr. PAULSEN), who has worked so hard for these issues.

Mr. PAULSEN. Mr. Speaker, I am excited to support this legislation. It is bipartisan. Minnesotans and those who are on the front lines of the opioid crisis will be helped, and it will aid the millions of American families who are affected by this epidemic.

It includes a bipartisan measure that I authored that will help prevent opioid addiction among seniors by educating them on alternative pain management treatments, and the proper, safe disposal of prescription painkillers. It will help more than 90,000 at-risk seniors from descending into a deadly spiral of addiction.

The end result will be less addiction, fewer overdoses, and safer Minnesota communities.

Mr. Speaker, I thank the chairman for yielding time.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. BARR). Mr. BARR. Mr. Speaker, on behalf of the families of the Commonwealth of Kentucky which suffers from the third highest opioid overdose mortality rate in the Nation, I rise today in support of H.R. 6, and I thank the chairman for his leadership on this.

Specifically, H.R. 6 includes my legislation, the CAREER Act, which creates a demonstration program to promote evidence-based transitional housing that pairs recovery support with life skills, workforce training, and job placement.

I would like to thank the many non-profits in my home State of Kentucky for inspiring this legislation.

I am pleased that this package includes three of my own bills, the Special Registration for Telemedicine Clarification Act, the Abuse Deterrent Access Act, and the Empowering Pharmacists in the Fight Against Opioid Abuse Act.

This package is not a silver bullet—but as legislators we need to do everything in our capacity to prevent the addiction and overdoses that occur every day in the United States.

Mr. WALDEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, may I inquire as to how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Oregon has 81⁄2 minutes remaining. The gentleman from New Jersey has 1½ minutes remaining.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Michigan (Mr. BISHOP).

Mr. BISHOP. Mr. Speaker, this bill is not a silver bullet, but as legislators we need to do everything in our capacity to prevent the opioid crisis once and for all.

I am pleased this package includes my bill, the STOP Act, which is targeted legislation to help stop synthetic opioids like fentanyl and carfentanil from entering our country through the international mail system.

I want to make sure I thank all the parents, educators, law enforcement, emergency response personnel, healthcare professionals, victims, and those suffering from addiction who have been working with me to ensure this legislation gets signed into law.

Your hard work has made a real difference.

Mr. Speaker, I also want to thank my colleagues for their support, and I urge a “yes” vote on the underlying bill, H.R. 6.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, few States have been harder hit than Kentucky in this effort on opioids, a terrible tragedy.

Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, on behalf of the families of the Commonwealth of Kentucky which suffers from the third highest opioid overdose mortality rate in the Nation, I rise today in support of H.R. 6, and I thank the chairman for his leadership on this.

This legislation marks a critical investment to help individuals and families struggling with addiction rise above addiction and transition back into the workforce.

Specifically, H.R. 6 includes my legislation, the CAREER Act, which creates a demonstration program to promote evidence-based transitional housing that pairs recovery support with life skills, workforce training, and job placement.

I would like to thank the many non-profits in my home State of Kentucky for inspiring this legislation.
Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Pennsylvania (Mr. BARLETTA). There is a lot of enthusiasm for this legislation, Mr. Speaker. We want to hear from Mr. BARLETTA about his thoughts on it. He has been a real leader on it.

Mr. BARLETTA. Mr. Speaker, I rise today in support of H.R. 6 which includes my bill, the Treating Barriers to Prosperity Act.

The Appalachian region, including much of my home State of Pennsylvania, has an overdose death rate 65 percent higher than the rest of the country for people ages 15 to 64.

My legislation will allow communities to use Appalachian Regional Commission funding for everything from attracting doctors to putting in broadband for telemedicine. It will spur economic growth in communities hit hard by the opioid epidemic, while also helping those struggling with addiction by breaking down barriers to employment.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Mrs. MIMI WALTERS) who is from the West Coast and is a real leader on our committee.

Mrs. WALTERS of California. Mr. Speaker, I rise in support of H.R. 6 and the IMD exclusion repeal which modeled after my bill, the IMD CARE Act.

I fought to ensure the IMD exclusion repeal was part of this final agreement because increasing inpatient treatment options is essential in our fight against the opioid epidemic.

The Orange County Board of Supervisors agrees with leading addiction treatment providers: the IMD exclusion repeal and the IMD CARE Act are the most important steps we can take to end drug overdose deaths in Orange County.

Mr. Speaker, I urge my colleagues to support this legislation to address this public health crisis.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentlewoman from Indiana (Mrs. WALORSKI), who is also a real worker on this legislation, to speak on the measure.

Mrs. WALORSKI. Mr. Speaker, I rise today in support of H.R. 6, the SUPPORT for Patients and Communities Act. It includes my bill, named for Dr. Todd Graham, who was senselessly murdered last year over an opioid prescription.

With this legislation, we build on Dr. Graham's legacy of treating patients not as money, but for their pain, but for their underlying causes. Today we are taking bipartisan action to expand access to nonopioid alternatives and give our communities better tools to prevent and treat addiction.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Mr. Speaker, I rise today in support of H.R. 6 as did my colleagues.

The opioid crisis has impacted nearly every community across this country, and in order to most effectively combat this crisis, we must establish a comprehensive response plan.

I am pleased this bill includes a version of my amendment offered in committee to establish a system to track Federal funding for drug control efforts, ensuring the government knows exactly where the money is being spent, how it is being used, and if it is working.

Mr. Speaker, I support this bill, and I ask my colleagues to do so as well.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, we have heard from doctors, we heard from pharmacists, and we have heard from many family members. Now we will hear from somebody who has a distinguished career in law enforcement.

Mr. Speaker, I yield 30 seconds to the gentlewoman from California (Mr. KNIGHT) to speak on this legislation.

Mr. KNIGHT. Mr. Speaker, as a police officer and a street cop in L.A., I have seen the problems that the opioid epidemic has done to our communities.

It has literally destroyed families and hurt our communities to no end. H.R. 6 is a much-needed display of bipartisan leadership to address the ongoing opioid crisis and epidemic.

Many of the issues that have come out of this bill spur development of national best practices for substance abuse recovery housing and incorporating it into medical care. We will put in ways to avoid having to go through the Recovery Act, to establish meaningful penalties for profiteering off other people's pain and addiction through illicit referrals.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 30 seconds to the gentleman from Virginia (Mr. BRAT) to speak on the measure.

Mr. BRAT. Mr. Speaker, I rise today to thank Chairman BRADY, Chairwoman FOXX, and Chairman WALDEN for addressing opioid and substance abuse disorders and their work on H.R. 6, the SUPPORT for Patients and Communities Act. I am grateful to my colleagues for supporting this legislation with the urgency it deserves.

In my district, this crisis has affected way too many. I am also grateful that my bill, H.R. 5889, the Recognizing Early Childhood Trauma Related to Substance Abuse Act of 2018 was included in the final package before us today.

Mr. PALLONE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I don't believe I have any other speakers on my side of the aisle pending, so with that, I reserve the balance of my time.

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

Mr. Speaker, I do urge support for this legislation. It is a good bill. It expands access in a number of ways in communities. But I do also want to point out that there are limitations to the bill. In other words, we do need to do a lot more.

For example, we still haven't expanded Medicaid coverage in many States. Medicaid coverage is crucial, in terms of providing treatment.

Some of the issues that have come out of this bill spur development of national best practices for substance abuse recovery housing and incorporating it into medical care. We will put in ways to avoid having to go through the Recovery Act, to establish meaningful penalties for profiteering off other people's pain and addiction through illicit referrals.

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

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

Mr. Speaker, before I close, I want to especially thank our staff on both sides of the aisle for their incredible work. They have worked day and night, literally, and all through the weekend also, the folks at the Congressional Budget Office and Legislative Counsel.

But I especially thank our team: Josh Trent, Kristen Shatynski, Caleb Graff, Dan Butler, James Paluskiwicz, Danielle Steele, Adam Buckalew, Melissa Schell, Brian Ketchum, and the whole team at the Energy and Commerce Committee on both sides of the aisle.

We worked through a lot of difficult issues, issues where we didn't start on the same side, but we ended on the same page as we listened to each other, as we listened to our constituents at home.

It is moments are there when you are legislating that you can say what you are doing will actually save lives. This is one of those times. What we are doing here today is saving lives.

We will lift people out of addiction who are trapped there today. We will prevent people from ending up in that emergency room because they overdosed. Maybe they will find a better path. We will go after those who perpetrated this on the country and after those who try to smuggle in the drugs that are worst hurting and the U.S., the opioids. We are doing things that are cut with heroin and kill our people.

So today's effort is about people like Amanda, who left this world tragically...
at a very young age through an overdose. And it is about her parents. It is about Mike and Winnie. It is about Paula, and it is about her sons and sister. It is about a woman I met in Hermiston who had to travel 5 hours to find a pharmacy that would cover her treatment on Suboxone because nobody was available. We help fix that in this legislation.

It is about my friends at Winding Waters in Enterprise, Oregon, who I was with last week, and the sheriff and others, who talked about the continuing problems and challenges they face and who have given me great guidance on these and other issues.

From my district to another, from one end of our country to another, we have all listened. We have heard. Frankly, we have cried as we have heard the stories of parents who help their children through addiction, only to drop them off at college and a matter of days later retrieve a body. That is what brings us together here today. Mr. Speaker. It is their stories that are woven deeply into this legislation. It is because of them that we will make a difference and we will do it right.

We will know that, as we pass this today and the Senate after us, that more work does remain to be done. We are on a journey together, though, and we will find solutions.

Mr. Speaker, I thank my colleagues on both sides of the aisle. I thank our staffs. I thank the American people who have reached out to us, counseled us, and helped.

Mr. Speaker, I urge my colleagues to strongly support passage of the SUPPORT Act. For patients and for communities, H.R. 6 needs to become law, and it will shortly.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I rise to support H.R. 6, the SUPPORT for Patients and Communities Act, a bipartisan comprehensive bill that addresses opioid addiction and other forms of substance abuse.

A comprehensive, common-sense, and compassionate approach to substance use disorders is long overdue. For far too long, many communities throughout the United States have been devastated by substance use disorders. However, despite the widespread suffering that millions of people—particularly African Americans during the crack cocaine epidemic—endured and still endure today, and the progress that has been made, in many instances, have pursued punitive measures in lieu of effective solutions to ensure that all communities can adequately heal from the devastating impacts of addiction.

I am especially pleased that this bill now includes my amendment to the House version of H.R. 6, which requires the Department of Health and Human Services (HHS) to conduct a review of the organizations, government agencies, and other entities that receive federal funding to provide substance use disorder treatment services. In addition, the amendment directs HHS to develop, and submit to Congress, a plan to direct appropriate resources to address the inadequacies in services or funding identified through the review.

I am also pleased that this bill addresses concerns that I raised about the opioid legislation in the House that allowed states to use Medicaid funds to provide treatment to persons with opioid use disorder in Institutions for Mental Disease (IMDs), but did not allow similar treatment for persons with other types of substance use disorders. In order to seriously address substance use disorders in communities throughout the United States, it is critical that we include persons who suffer from all types of substance use disorders, including those that involve alcohol, cocaine, and methamphetamine, as well as opioids.

I offered an amendment to the legislation in the House aimed at addressing my concern about the exclusion of non-opioid forms of substance use disorders from treatment in IMDs. While my amendment was not accepted, I am pleased that efforts were made to address my concern. The final version of H.R. 6 allows for a more uniform and predictable approach in IMDs for persons with all types of substance use disorders and also includes safeguards to ensure that states do not reduce the availability of community-based treatment for persons suffering from substance use disorders.

While I appreciate the work that has been done on many components of this bill, I still have some important concerns. As the Ranking Member of the House Committee on Financial Services, which has jurisdiction over housing programs, I am concerned that this bill falls short when it comes to providing housing for people with substance use disorders. The bill includes a provision that creates a new grant program to provide temporary housing assistance to help people with substance use disorders, but this new funding will only be available in half of the states. This will leave the other half of the states continuing to struggle with the challenges of helping people with substance use disorders who are in need of housing. Furthermore, this bill does nothing to address the overly punitive and unfair policies governing our federal housing programs that create unnecessary barriers to housing for people who have criminal backgrounds related to substance use disorders.

I am encouraged that there is bipartisan support for addressing the housing needs of persons suffering from substance use disorders, but I am disheartened that Congress continues to fall short in its efforts to provide comprehensive solutions that will help people suffering from substance use disorders in every state of the country. As we work to address the opioid crisis at hand, let’s not forget that Congress still has a lot of work to do in the way of criminal justice reform to address the ongoing harmful and discriminatory impacts of the war on drugs era.

Despite these concerns, I believe this bill includes some valuable bipartisan solutions that represent a step in the right direction. I urge all of my colleagues to support H.R. 6, and I look forward to continuing to work with my colleagues to address the scourge of substance use disorders in communities throughout the United States.

Mr. WALDEN. Mr. Speaker, I include the following letters in the RECORD.
month, First Focus, the State Policy and Advocacy Reform Center, and PosterClub held a congressional briefing on the importance of Medicaid to foster children and youth.

Family-Focused Residential Treatment: This provision promotes family-based residential treatment for substance use disorders, including the HHS Secretary to issue guidance to states on how they can support such treatment facilities.

Recovery and Reunifying Families: This provision includes the replication of effective recovery coach programs to improve outcomes for children and families in the child welfare system who are impacted by substance abuse.

Family-Focused Residential Treatment: This provision creates a grant program to promote family-based residential treatment programs, which are critical to helping parents and families get the treatment they need to overcome addiction.

Plans of Safe Care: This provision provides grants to states to improve and coordinate their response to ensure the safety, permanency, and well-being of infants affected by substance use.

Trauma-Informed Care: This provision gives the Center for Disease Control (CDC) authority to work with states to collect and report data on childhood experiences. It also directs the CDC to form a task force to promote best practices in treating children impacted by trauma and to recommend to federal agencies regarding its coordination and response to substance use disorders and other forms of trauma that affect children and families.

At-Risk Youth and Medicaid Protection: This legislation would ensure that incarcerated youth are simply suspended, rather than terminated, from Medicaid while they are incarcerated. It would also require states to automatically restore full eligibility to youth upon release from incarceration, and to take any steps necessary to make sure that youth begin receiving medical assistance benefits immediately.

The Fiscal Year 2019 annual spending bill for the Departments of Labor, Health and Human Services, Education and Related Agencies (H.R. 6157) includes $3.8 billion for combating the opioid crisis, and the bill should be supported, Senator Wyden said. Adequate federal funding for these new programs benefitting our foster children is critical. Looking ahead to Fiscal Year 2020, though, these gains would be jeopardized if Congress fails to lift the budget cap for non-defense discretionary spending established by the 2011 Budget Control Act. If budget caps are allowed, this type of spending will go down by $55 billion. Congress must prioritize children in our federal budget decisions.

Mr. WALDEN. Mr. Speaker, I include the following letter in the Record:

COMMUNITY HEALTH CENTERS,
WASHINGTON, DC, September 27, 2018.
Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. CHUCK SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

Hon. PAUL RYAN,
Speaker of the House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Majority Leader of the House of Representatives,
Washington, DC.

Dear Leader McConnell, Leader Schumer, Speaker Ryan and Leader Pelosi: The American Behavioral Healthcare Association (NABH) is pleased to support the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act (H.R. 6). We urge Congress to approve this measure as an important step toward addressing the nation's opioid addiction crisis.

The Council is a public policy organization representing principally Fortune 500 companies and other organizations that assist employees in obtaining health care benefits. Collectively, the Council's members sponsor directly or provide services to retiree and health plans covering over 100 million Americans.

The opioid epidemic has touched workers and families across the country and employers have been on the front lines of this battle, at times taking extreme measures to prevent drug abuse through innovative plan design and outreach. A Kaiser Family Foundation analysis found that the use of prescription opioids among people with employer-based health coverage declined in 2016 to its lowest levels in over a decade.

Nevertheless, the annual cost of treating addiction and overdoses has increased more than eight-fold since 2004, from $3.3 billion dollars to $26.6 billion in 2016, and pain-related conditions have resulted in up to 655 billion in medical costs and lost productivity for employers.

H.R. 6 makes a number of important improvements by reducing the use and supply of opioids, encouraging recovery, supporting caregivers and families and driving innovation and long-term solutions to the opioid epidemic. The bill also imposes tighter control on opioid prescription and treatment under the Medicare and Medicaid programs while also clarifying FDA regulations for nonaddictive pain and addiction therapies and allowing for more flexibility with respect to medication-assisted treatment.

We are particularly pleased that the conference committee wisely excluded from the bill a harmful, unrelated provision that would have revised the Medicare secondary payer rules to require private insurers—including employer plans—to pay for an additional three months of care for end-stage renal disease (ESRD) patients before Medicare assumes responsibility for the payments.

The Council strongly opposed this provision, as employers already shoulder significant costs for workers with ESRD and should not be required to bear unrelated additional costs by expanding the length of time plans must cover ESRD.

We applaud Congress for developing legislation that will make America healthier, including many of the 181 million people covered by employer-provided health plans.

Sincerely,

JAMES A. KLEIN,
President.

[NABH thanks House Energy and Commerce Chairman Greg Walden (R-Ore.) for his strong leadership in the House, which helped ensure that his colleagues paid close attention to the IMEX exclusion, an anti-regulation that has denied access to opioid treatment for those who need it."

"We also thank Reps. Mimi Walters (R-Calif.) and Paul Tonko (D-N.Y.) and Sens. Bob Corker (R-Tenn.) and Ben Cardin (D-Md.) for their tireless efforts to understand the IMEX exclusion—and do all they can to repeal this provision and remove barriers to behavioral healthcare services for millions of Americans."

NABH is also pleased with several other provisions in the final package and urges lawmakers to pass this legislation as soon as possible. Lives depend on it.

NATIONAL ASSOCIATION OF COMMUNITY HEALTH CENTERS,
September 27, 2018.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.

Hon. PAUL RYAN
Speaker of the United States House of Representatives,
Washington, DC.

Hon. CHUCK SCHUMER
Senate Minority Leader,
Washington, DC.

Hon. NANCY PELOSI
Minority Leader of the United States House of Representatives,
Washington, DC.

Dear Senators McConnell and Schumer and Representatives Pelosi:

The National Association of Community Health Centers (NACHC) appreciates Congress’ ongoing efforts and dedication to addressing the opioid crisis, and is pleased to offer our support for H.R. 6, SUPPORT for Patients and Communities Act, and urge all House and Senate members to pass this important legislation.

NACHC is the national membership organization for federally qualified health centers (also known as FQHCs or “health centers”). Health centers play a critical role in the health care system, serving as the health home for over 28 million people, the majority of whom live under the Federal Poverty Level. With over 11,000 sites nationwide, FQHCs provide affordable, high quality comprehensive primary care to medically underserved individuals, regardless of their insurance status or ability to pay.

Substance use disorder (SUD), including opioid use disorder (OUD), is a top public health concern in the United States, and health centers have firsthand knowledge of the consequences. As opioid use disorder has become more prevalent, health centers are on the frontlines working to address the comprehensive needs of people at risk of developing SUD, as well as assisting those who are in need of treatment for existing SUD.

From 2010 to 2017, health centers experienced a five-fold increase in patients receiving treatment for opioids or other substance use disorders. Since 2010, health centers have more than doubled their behavioral health workforce because of the increased demand for services, with 3,000 health center providers now authorized to provide Medication-Assisted Treatment (MAT). In fact, in 2017, nearly 65,000 health center patients received MAT from health center providers.

Health centers stand ready to serve their patients who are struggling with substance use disorders but that are in need for additional support and policy changes to enable them to do so more effectively. Congress needs to prioritize the continuation of a multitude of critical policy issues in its response to the opioid epidemic, including several provisions included in H.R. 6 to bolster the SUD workforce, including through new loan repayment opportunities for SUD providers.
create comprehensive opioid recovery centers (CORCs).

Improve access to telehealth services

Streamline Medicaid coverage for incarcerated individuals to former fosters youth.

Ensure mental health parity for pregnant women and children within the CHIP program.

Codify MAT prescribing regulations allowing Nurse Practitioners and Physician Assistants to prescribe buprenorphine as well as increased flexibility for patients, and allowing additional advanced practice nurses to prescribe for a period of 5 years.

We particularly want to highlight our strong support for section 5005 which authorizes $8 million to support expanded access to MAT at FQHCs and rural health clinics under the Medicare program. We believe this provision will be of great assistance to health centers who are initiating and expanding opioid use disorder treatment programs in underserved areas across the country.

Thank you again for all your hard work to bring this bill to fruition. We know there is more work we can do together to turn the tide on this public health crisis and look forward to continuing to work with you to address the needs of communities across the country.

Sincerely,

TOM VAN COVERDEN
President and CEO of NACHC.

Mr. WALDEN. Mr. Speaker, I include the following letters in the RECORD.

To The Members of the U.S. House of Representatives:
The Catholic Health Association of the United States (CHA), the national leadership organization of more than 2,000 Catholic health care systems, hospitals, long-term care facilities, sponsors, and related organizations, I commend the members of the House and Senate for approving their versions of the bipartisan legislation to address the nation’s opioid crisis and to urge your support for the final bill, the Support for Patients and Communities Act (HR 6).

Catholic health providers recognize that each human life is sacred and possesses inherent worth, and that health care is essential to protecting and promoting the inherent dignity of every individual. We also recognize that supportive and readily available substance use disorder (SUD) treatments are essential facets of holistic, person-centered, and effective care. The first principle in our vision for U.S. Health Care affirms our call to pay special attention to those most likely to lack access to health care, many of whom are in desperate need of SUD services. This commitment is why the Catholic health ministry strongly supports efforts to increase access to these services and ensure that they become fully integrated into our health care system.

The CHA has supported many of the provisions in HR 6, particularly those that would increase access to care under Medicaid and care for such vulnerable populations as children and pregnant women, as well as provisions to improve mental health and telehealth services. We are particularly pleased that the final version of this legislation includes the IMD Care Act, to provide state Medicaid programs with the option to cover care during FY2019-23 in certain Institutions for Mental Diseases (IMD) that may be otherwise non-federally-reimbursable under the IMD exclusion. We are also pleased that the bill includes measures to ensure access to mental health and substance use disorder services for children and pregnant women under the Children’s Health Insurance Program (CHIP).

However, we are disappointed that legislation introduced in the Senate (S. 1850, the Protecting Jessica Grubb’s Legacy Act and S. 1851, the AIMIES Act) and the House (HR 6082) to align current regulations for SUD treatment records with existing patient protection under HIPAA for treatment, payment and health care operations was not included in HR 6. For health providers, the alignment of SUD records with other medical records is essential to ensuring patient safety and quality. Given the broad and bipartisan support for HR 6082, we continue to urge the Senate to approve this bill as well before the end of the 115th Congress.

Thank you again for your attention to the urgent matter of opioid and other substance use disorders. We believe the goal of our Catholic health ministry in providing the best possible care and treatment for those who need it, and we hope approval of the Support for Patients and Communities Act will provide effective additional resources for doing so.

Sincerely,

SUZANNE P. CLARK
Senior Executive Vice President
U.S. Chamber of Commerce

ADVOCATES FOR OPIOID RECOVERY (E-MAIL)

Medicare beneficiaries have the highest and fastest growing rate of opioid use disorder (OUD), with more than 300,000 Medicare beneficiaries having been diagnosed with OUD. However, Medicare does not cover the medication-assisted treatment modalities—opioid treatment programs (OTPs).

OTPs are highly-regulated, highly-effective, comprehensive treatment programs that provide Medication-Assisted Treatment (MAT)—the combination of medication with behavioral health care—and this is the most effective solution to treat OUD. There are roughly 1,500 OTPs across the United States providing treatment to approximately 500,000 patients, and these programs are certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).

Advocates for Opioid Recovery have shown that people who receive MAT are 75 percent less likely to have an addiction-related death than those who do not receive MAT. Most patients in OTPs are currently treated with methadone, which can only be used for the treatment of addiction through a licensed OTP.

America’s seniors and people with disabilities depend on our Medicare system, and I encourage you to vote for HR 6, which would permanently expand Medicare coverage of OTPs.

For more information about why congressional action is necessary, visit Advocates for Opioid Recovery’s website at opioidrecovery.org.

CATHOLIC HEALTH ASSOCIATION OF THE UNITED STATES,
Washington, DC, September 26, 2018.

U.S. HOUSE,
Washington, DC.

U.S. SENATE,
Washington, DC.

On behalf of the Catholic Health Association of the United States (CHA), the national leadership organization of more than 2,000 Catholic health care systems, hospitals, long-term care facilities, sponsors, and related organizations, I commend the members of the House and Senate for approving their versions of the bipartisan legislation to address the nation’s opioid crisis and to urge your support for the final bill, the Support for Patients and Communities Act (HR 6).

Catholic health providers recognize that each human life is sacred and possesses inherent worth, and that health care is essential to protecting and promoting the inherent dignity of every individual. We also recognize that supportive and readily available substance use disorder (SUD) treatments are essential facets of holistic, person-centered, and effective care. The first principle in our vision for U.S. Health Care affirms our call to pay special attention to those most likely to lack access to health care, many of whom are in desperate need of SUD services. This commitment is why the Catholic health ministry strongly supports efforts to increase access to these services and ensure that they become fully integrated into our health care system.

CHA has supported many of the provisions in HR 6, particularly those that would increase access to care under Medicaid and care for such vulnerable populations as children and pregnant women, as well as provisions to improve mental health and telehealth services. We are particularly pleased that the final version of this legislation includes the IMD Care Act, to provide state Medicaid programs with the option to cover care during FY2019-23 in certain Institutions for Mental Diseases (IMD) that may be otherwise non-federally-reimbursable under the IMD exclusion. We are also pleased that the bill includes measures to ensure access to mental health and substance use disorder services for children and pregnant women under the Children’s Health Insurance Program (CHIP).

However, we are disappointed that legislation introduced in the Senate (S. 1850, the Protecting Jessica Grubb’s Legacy Act and S. 1851, the AIMIES Act) and the House (HR 6082) to align current regulations for SUD treatment records with existing patient protection under HIPAA for treatment, payment and health care operations was not included in HR 6. For health providers, the alignment of SUD records with other medical records is essential to ensuring patient safety and quality. Given the broad and bipartisan support for HR 6082, we continue to urge the Senate to approve this bill as well before the end of the 115th Congress.

Thank you again for your attention to the urgent matter of opioid and other substance use disorders. We believe the goal of our Catholic health ministry in providing the best possible care and treatment for those who need it, and we hope approval of the Support for Patients and Communities Act will provide effective additional resources for doing so.

Sincerely,

BR. CAROL KEEGAN, DC
President and CEO.

Mr. WALDEN. Mr. Speaker, I include the following letters in the RECORD.

[From the American Society of Addiction Medicine]

ROCKVILLE, MD, SEPTEMBER 26, 2018.

AMERICAN SOCIETY OF ADDICTION MEDICINE APPLAUDS INCLUSION OF KEY PROVISIONS IN HISTORIC OPIOID LEGISLATIVE PACKAGE

KEY PROVISIONS TO TEACH, STANDARDIZE, AND COVER ADDICTION MEDICINE WILL HELP CLOSE TREATMENT GAP AND SAVE LIVES, ADDICTION MEDICINE EXPERTS SAY

The American Society of Addiction Medicine (ASAM) today applauds US House and Senate leaders for announcing a bipartisan agreement on an opioid legislative package that includes key provisions to bolster the country’s addiction treatment workforce, help provide standardized and evidence-based treatment for individuals with a substance use disorder (SUD), and help ensure coverage and payment models facilitate comprehensive, coordinated care for patients seeking treatment for a SUD.

“On behalf of America’s addiction medicine physicians and other clinicians on the frontlines of this crisis, ASAM applauds our Congressional leaders for working together to include key provisions that will help close the current treatment gap in addiction medicine workforce, and save more lives,” said Kelly J. Clark, MD, MBA, DFASAM, president of ASAM. “Reversing course on the devastating crisis requires bold policy solutions that help teach, standardize, and cover addiction medicine so more patients benefit from evidence-based treatment. The agreement reached last night is an important step toward realizing this critical goal.”

Key provisions in the legislative package to teach, standardize, and cover evidence-based addiction medicine include:

• Making permanent buprenorphine prescribing authority for physicians and nurse practitioners and allowing waivered practitioners to treat immediately up to 100 patients at a time (in lieu of 30) if the practitioner is board certified in addiction medicine or addiction psychiatry; or if the practitioner provides medication-assisted treatment (MAT) in a qualified practice setting. Certain practitioners would also be allowed to treat up to 275 patients at a time with buprenorphine, codifying an existing rule.

• Allowing physicians who have recently graduated in good standing from an accredited school of allopathic or osteopathic medicine to meet the evidence-based training requirements during school to prescribe MAT, to obtain a waiver to prescribe MAT.
Providing loan repayment relief to addiction treatment professionals who practice in high-need areas;

Creating a Medicare demonstration program to address access to evidence-based outpatient treatment for beneficiaries with opioid use disorder that includes medication as well as psychosocial supports, care management and planning;

Partially repealing the Institutions for Mental Diseases (IMD) exclusion and allowing state Medicaid programs to cover care in certain IMDs to deliver services consistent with certain requirements, including evidence-based assessments and levels of care;

Directing the Departments of Health and Human Services to finalize special registration regulations concerning the prescribing of medications for addiction via telemedicine within one year of enactment;

Expanding Medicare coverage to include payment for Opioid Treatment Programs through bundled payments for wholistic services;

Convening a stakeholder group to produce a report of best practices for states to consider in implementing delivery of health care related transitions for inmates of public correctional facilities; and

Requiring the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide information to SAMHSA grantees to encourage the implementation and replication of evidence-based practices.

“Addiction is both treatable and preventable—but from where we stand today, delivering high-quality care to the millions of Americans who live with the disease of addiction will require significant investments in our workforce, coverage, and payment models that facilitate coordinated and comprehensive care, and structural changes that incentivize the use of evidence-based approaches,” said Clark. “And while we celebrate this bipartisan announcement today, ASAM knows there is still much work to be done to ensure all Americans living with a substance use disorder get the treatment they need. ASAM will continue to advocate for building an addiction treatment system that fully integrates mental health, substance use disorder, and primary care services in order to provide the best patient outcomes. This includes supporting final passage of the SMART Act, which would amend 42 CFR Part 2 with the Health Insurance Portability and Accountability Act.”

For more information about the American Society of Addiction Medicine, please visit www.ASAM.org.

Hon. MITCH McCONNELL, Majority Leader, U.S. Senate, Washington, DC.

Hon. CHUCK SCHUMER, Minority Leader, U.S. Senate, Washington, DC.

Hon. NANCY PELOSI, Speaker of the House, House of Representatives, Washington, DC.

Hon. MITTELBEIN, Speaker of the House, House of Representatives, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER SCHUMER, SPEAKER RYAN and MINORITY LEADER PELOSI: We the undersigned, representing the major groups across all disciplines working on a comprehensive response to address addiction, write in support of the final conference agreement of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (STOP) for Patients and Communities Act (H.R. 6) and urge for quick passage of this package.

As you know, the Centers for Disease Control and Prevention recently reported that more than 72,000 Americans died of a drug overdose in 2017, a staggering increase from 63,600 in 2016. With nearly 200 Americans dying each day as a result of drug overdose, the opioid crisis is an urgent and serious public health and safety issue that needs to be addressed through a comprehensive response.

We are grateful to Congress for addressing this urgent need to improve policies and resources to help the millions impacted by addiction nationwide. We thank Members on both sides of the aisle and the 13 congressional committees for working together to craft this thoughtful, evidence-based legislation. We strongly support the SUPPORT For Patients and Communities Act and its multifaceted, nuanced approach to addressing the opioid crisis and all substance use disorders.

Key provisions include:

**HEALTHCARE INTEGRATION**

*Treatment, Education, and Community Help To Combat Addiction (Section 7101)—Expands medical education and training resources for healthcare providers to better address addiction, pain, and the opioid crisis; Preventing Overdoses While in Emergency Rooms (Section 7081)—Improves emergency departments ability to effectively screen, treat, and connect substance use disorder patients with care; Alternatives to Opioids in the Emergency Department (Section 7083)—Examines alternative pain management protocols in order to limit the use of opioid medications in emergency departments; Inclusion of Opioid Addiction History in patient records (Section 7051)—Requires HHS to develop best practices for prominently displaying substance use disorder treatment information in electronic health records, when requested by the patient.

**TREATMENT CAPACITY EXPANSION**

*IMD CARE Act (Section 5052)—Expands Medicaid coverage up to 30 days for individuals between 21 and 65 years old receiving care in a treatment facility for all substance use disorders, lifting the 16 bed restriction; Expansion of Telehealth Services (Section 1009, 2001, 2220)—Expands access to substance use disorder treatment and other services through the use of telehealth; Comprehensive Opioid Recovery Centers (Section 7121)—Establishes model comprehensive treatment and recovery centers to ensure individuals have access to quality treatment and services; Supporting family-focused residential treatment (Section 8011, 8083)—Enhanced family-focused residential treatment; $20 million in funding to award to states to develop, enhance, or evaluate family-focused treatment programs to increase the number of evidence-based programs.

**TREATMENT WORKFORCE EXPANSION**

*Substance Use Disorder Workforce Loan Repayment (Section 7071)—Enhances the substance use disorder treatment workforce by creating a student loan repayment program for healthcare professionals; Addressing economic and workforce impacts of the opioid crisis (Section 8011)—Awards grants and loans to support substance use disorder and mental health treatment workforce shortages.

**MEDICATION ASSISTED TREATMENT**

*More Flexibility for Prescribing Medication (Section 3201, 3202)—Increases the number of waivered health care providers that can prescribe or dispense treatment for substance use disorders, such as certified nurses and accredited physicians; Grants to enhance access to substance use disorder treatment (Section 3236)—Authorizes grants for the development of curriculum that will help health care practitioners obtain a waiver to prescribe MAT; Delivery of a Controlled Substance by a Pharmacy to be Administered by Injection or Implantation (Section 3204)—Allows pharmacies to deliver implantable or injectable medications to treat opioid use disorders directly to health care providers.

Expanding Access to Medication in In-Patient Facilities (Section 5052)—Expands Medicaid coverage up to 30 days for in-patient facilities applies to providers who provide a minimum of two types of medicines to treat opioid use disorder.

**ENDING ILLEGAL PATIENT BROKERING**

Criminal penalties (Section 8122)—This provision makes it illegal to pay or receive kickbacks in return for referring a patient to recovery homes or clinical treatment facilities.

**RECOVERY SUPPORTS**

*CAREER Act (Section 7183)—Improves resources and wrap-around support services for individuals in recovery from a substance use disorder who are transitioning from treatment programs to independent living and the workforce; Ensuring Access to Quality Sober Living (Section 7193)—Develops and disseminates best practices for operating recovery housing to ensure individuals are living in a safe and supportive environment; Building Communities of Recovery (Section 7151, 7152)—Awards grants to recovery community organizations to provide regional training and technical assistance in order to expand peer recovery support services nationwide; Improving recovery and reuniting families (Section 8052)—Provides $15 million to HHS to replicate a recovery coach program for parents with children in foster care due to parental substance use.

**PREVENTION**

*Drug-Free Communities Reauthorization (Section 5020)—Reauthorizes the Drug-Free Communities Program to mobilize communities to prevent youth substance use and extend the National Community Anti-Drug Coalition Institute.

**HELPING MOMS AND BABIES**

*Sobriety Treatment and Recovery Teams (START; Section 8124)—Establishes and expands the implementation of the START model which pairs parents and family mentors with a small number of families, providing peer support, intensive treatment and child welfare services; Expanding Recovery for Infants and Babies (Section 1007)—Expands Medicaid coverage for infants with neonatal abstinence syndrome who are receiving care in residential pediatric recovery centers; Health Insurance for Former Foster Youth (Section 1002)—Allows former foster youth to keep their Medicaid coverage across state lines until age 26; Modifies IMD Exclusion for Pregnant and Postpartum Women (Section 1012)—Allows for Medicaid coverage for women who are receiving care for substance use disorder in a treatment facility to receive other Medicaid-covered care, such as prenatal services; Report on addressing maternal and infant health in the opioid crisis (Section 7061)—Studies best practices of pain management, prevention, identification, and reduction of opioid and other substance use disorders during pregnancy; Early interventions for pregnant women and infants (Section 7063)—Develops and disseminates educational materials for clinicians to use with pregnant women for shared decision-making regarding pain management during pregnancy; Maternal and Neonatal Health (Section 7061)—Authorizes data collection and analysis of neonatal abstinence syndrome and...
We commend Congress for its leadership and the bipartisan, bicameral work it has undertaken to address the ever worsening opioid crisis. We are pleased that this package continues our comprehensive approach to addressing the opioid crisis, across the entire continuum of care, prevention, treatment and recovery support. In addition, it fully recognizes addiction as the medical condition that it is and contains meaningful programs aimed at helping patients and families struggling with this disease. For all of these reasons, we urge the quick passage of the final agreement of the SUPPORT for Patients and Communities Act (H.R. 6).

Sincerely,

1. A New PATH, San Diego, California
2. Addiction Policy Forum
3. AIDS United
4. Alabama, Addiction Policy Forum
5. Alaska, Addiction Policy Forum
6. American Correctional Association
7. Arizona, Addiction Policy Forum
8. Association of Prosecuting Attorneys
9. Beyond Addiction, NJ
10. Brave Health
11. CA ADA of Northwest Louisiana
12. California Consortium of Addiction Programs & Professionals (CCAPP)
13. California, Addiction Policy Forum
14. Campaign for a Drug-Free Wisconsin
15. Caron Treatment Centers
16. CFC Loud N Clear Foundation, Farmingdale, New Jersey
17. Chicago Recovering Communities Coalition, Chicago, Illinois
18. Colorado, Addiction Policy Forum
19. Community Anti-Drug Coalitions of America (CADCA)
20. Connecticut Certification Board
22. Connecticut, Addiction Policy Forum
23. COPE
24. DarJune Recovery Support Services & Consulting, Green Bay, Wisconsin
25. Delaware, Addiction Policy Forum
26. Delphi Behavioral Health Group
27. DisposeRx
28. El Paso Alliance, El Paso, Texas
29. Faces & Voices of Recovery
30. FAVOR Low Country, Charleston, South Carolina
31. FAVOR Tri-County, Rock Hill, South Carolina
32. FedCURE
33. Fellowship Foundation Recovery Community Organization, Margate, Florida
34. Floridians for Recovery, West Palm Beach, Florida
35. Foundation for Recovery, Las Vegas, Nevada
36. Friends of Emmett
37. H.O.P.E.S. Forever
38. Healthcare Leadership Council
39. IC & RC
40. Idaho, Addiction Policy Forum
41. Illinois Association of Behavioral Health
42. Illinois, Addiction Policy Forum
43. Indiana, Addiction Policy Forum
44. Institute on Applied Health and Health (IH), Minnesota
45. Iowa, Addiction Policy Forum
46. Jackson Area Recovery Community, Jackson, Michigan
47. Kansas, Addiction Policy Forum
48. Kentucky, Addiction Policy Forum
49. Kingston NH Lions Foundation
50. Lifesource Recovery Connection, San Diego, California
51. Maine Alliance for Addiction Recovery, Augusta, Maine
52. Maine, Addiction Policy Forum
53. Maryland House Detox
54. Maryland, Addiction Policy Forum
55. Massachusetts, Addiction Policy Forum
56. Michigan, Addiction Policy Forum
57. Minnesota Recovery Connection, Minneapolis, Minnesota
58. Minnesota, Addiction Policy Forum
59. Missouri Recovery Network, Jefferson City, Missouri
60. Missouri, Addiction Policy Forum
61. Montana, Addiction Policy Forum
62. National Association of Social Workers (NASW)
63. National Prevention Science Coalition
64. National Safety Council
65. Navigate Recovery Gwinnett, Gwinnett County, Georgia
67. Nevada, Addiction Policy Forum
68. New Hampshire, Addiction Policy Forum
69. New Jersey, Addiction Policy Forum
70. New Mexico, Addiction Policy Forum
71. New York, Addiction Policy Forum
72. North Carolina, Addiction Policy Forum
73. North Dakota, Addiction Policy Forum
74. Ohio Citizens Advocates for Addiction Recovery, Columbus, Ohio
75. Ohio, Addiction Policy Forum
76. Oklahoma, Addiction Policy Forum
77. Oregon, Addiction Policy Forum
78. PEER Wellness Center
79. PEER360 Recovery Alliance, Bay City, Michigan
80. Pennsylvania, Addiction Policy Forum
81. People Advocating Recovery, Louisville, Kentucky
82. Phoenix House Recovery Residences
83. PLR Athens, Athens, Georgia
84. Reality Check, Jaffrey, New Hampshire
85. Recover Wyoming, Cheyenne, Wyoming
86. Recovering Communities of North Carolina, Raleigh, North Carolina
87. Recovery Community Connection, Williamsport, Pennsylvania
88. Recovery Community of Durham, Durham, North Carolina
89. Recovery Data Solutions
90. Rhode Island, Addiction Policy Forum
91. ROcovery Fitness, Rochester, New York
92. Shatterproof
93. Smart Approaches to Marijuana Action (SAM Action)
94. SMART Recovery, Nationwide
95. Sobriety Matters
96. Solutions Recovery, Oskosh, Wisconsin
97. South Dakota, Addiction Policy Forum
98. SpiritWorks Foundation, Williamsburg, Virginia
99. Springs Recovery Connection, Colorado Springs, Colorado
100. Strengthening the Mid-Atlantic Region for Tomorrow (SMART)
101. Tennessee, Addiction Policy Forum
102. Texas, Addiction Policy Forum
103. The DOOR—DeKalb Open Opportunity for Recovery, Decatur, Georgia
104. The McShin Foundation, Richmond, Virginia
105. The Moyer Foundation
106. The Phoenix, Phoenix, Arizona
107. The Recovery Project, Harrisburg, Pennsylvania
108. The Solano Project, Fairfield, California
109. Trust for America’s Health
110. Utah, Addiction Policy Forum
111. Truancy Recovery Community, Walla Walla, Washington
112. Voices of Hope Lexington, Lexington, Kentucky
113. Voices of Recovery San Mateo County, San Mateo, California
114. WAI-IAM, Inc. and RISE Recovery Community, Lansing, Michigan
September 28, 2018
CONGRESSIONAL RECORD — HOUSE

119. Washington, Addiction Policy Forum
120. Washtenaw Recovery Advocacy Project (WRAP), Ann Arbor, Michigan
121. West Virginia, Addiction Policy Forum
122. Wisconsin Voices for Recovery, Madison, Wisconsin
123. Wisconsin, Addiction Policy Forum

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and agree to the resolution, H. Res. 1099.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The SPEAKER pro tempore. The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. S. Lasky, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4254. An act to amend the National Science Foundation Authorization Act of 2002 to strengthen the aerospace workforce pipeline by the promotion of Robert Noyce Teacher Scholarship Program and National Aeronautics and Space Administration internship and fellowship opportunities to women, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1768. An act to reauthorize and amend the Teacher Scholarship Program and National Aeronautics and Space Administration Internship to recommit on the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses, offered by the gentleman from Connecticut (Mr. LARSON), on which the yeas and nays were ordered.

The Clerk redesignated the motion.

The result of the vote was announced as above recorded.

NOT VOTING—18

Mr. TURNER, Ms. MCSALLY, Messrs. RICE of South Carolina, RUTHERFORD, RUSSELL, SANFORD, REICHERT, and HOLLINGSWORTH changed their vote from "yea" to "nay.

Mr. MCCOLLUM and Mr. HUFFMAN changed their vote from "nay" to "yea.

So the motion to reconvene was rejected.

The result of the vote was announced as above recorded.

Stated against—

Mr. HILL. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollover No. 413.
The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to House Resolution 1084, the yeas and nays are ordered.

This is a 5-minute vote.

The result of the vote was announced as above recorded.

So the bill was passed.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. McCARTHY. Mr. Speaker, I rise for the purpose of making a scheduling announcement.

Members are advised that votes are no longer expected in the House during the weeks of October 1 and October 8, 2018.

Now, I would also like to make another announcement. I would also like to note that today is the 1-year anniversary of our friend, the Majority Whip STEVE SCALISE returning to Congress after the attempt on his life.

I will not forget the day of that attempt.

Mr. HOYER. Thank you.

I thank the majority leader in saying how grateful we all are for the care of so many people around the world who are Members of our body.

We welcome back, and God bless him, and we wish him a full, full recovery.

We don’t want him to be too strong on this side, but we want him strong.

And with that, we were talking on this side, and it appeared that the majority leader said we weren’t going to be here next week.

Mr. McCARTHY. Or the week after.

Mr. HOYER. Or the week after.

Is there a possibility, from that, that we may be here during the month of October?

Mr. McCARTHY. No.

I thank the gentleman for his question.

November 13, if I am correct, is the first time we will come back, and hopefully we will come back in the same order we leave.

Mr. HOYER. Thank you.

We look forward to being back on November 13.

I thank the majority leader.

SUBSTANCE USE-DISORDER PREVENTION THAT PROMOTES OPIOID RECOVERY AND TREATMENT FOR PATIENTS AND COMMUNITIES ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.
The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALTERS) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and the results were—yeas 393, nays 8, not voting 27.

(Roll No. 415)

YEAS—393

MacArthur, Peter (NY)  McHenry, Steve (NC)  McNerney, Mike (CA)  McKinley, July (OH)  Murphy, Steve (NJ)  O’Halleran, Ron (AZ)  Nadler, Jerrold (NY)  Nadusky, Paul (PA)  Napolitano, Schimpf (IL)

NAYS—8

MacArthur, John (PA)  McHenry, Jobs (CA)  McNerney, Mike (CA)  McKinley, July (OH)  Murphy, Steve (NJ)  O’Halleran, Ron (AZ)  Nadler, Jerrold (NY)  Nadusky, Paul (PA)  Napolitano, Schimpf (IL)

WASHINGTON, DC, September 27, 2018.

Hon. Paul Ryan, Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: On September 27, 2018, pursuant to section 3307 of title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider 21 resolutions included in the General Services Administration’s Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases. The 19 resolutions considered include 11 alteration prospectuses, five lease prospectuses, and two construction prospectuses and represent $700 million in savings from avoided lease costs and space reductions.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on September 27, 2018.

Sincerely,

BILL SHUSTER, Chairman.

ENCLOSURES:

COMMITTEE RESOLUTION

ALTERATION—CONSOLIDATION ACTIVITIES PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the reconfiguration and renovation of space within government-owned and leased buildings during Fiscal Year 2019 to improve space utilization, optimize inventory, and decrease reliance on leased space at a total cost of $70,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that an Expenditure Plan be submitted to the Committee prior to the expenditure of any funds.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure: which was read and, without objection, referred to the Committee on Appropriations:

COMMITEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES.

September 27, 2018.

The Speaker forwarded to the Chair of the Committee on Transportation and Infrastructure the 19 resolutions considered on September 27, 2018, with an Expenditure Plan included.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN) during the vote. There are 2 minutes remaining.

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. OLSON. Mr. Speaker, I was unable to vote on Mr. ROE’S amendment because of an emergency that required me to return to Texas. Had I been present, I would have voted “nay” on rollcall No. 413, “yea” on rollcall No. 414, and “yea” on rollcall No. 415.
FY 2019 Project Summary
The General Services Administration (GSA) proposes the reconfiguration and renovation of space within Government-owned and leased buildings during fiscal year (FY) 2019 to support GSA’s ongoing consolidation efforts to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government’s environmental footprint.

Since inception of the Consolidation Activities Program in FY 2014, GSA has received $263 million in support of the program. Through FY 2017, the Consolidation Activities Program has funded 78 projects. When complete, the 78 projects will result in more than a 1.67 million usable square foot (USF) reduction, reduce agency rental payments to GSA by $66 million annually, and generate $132 million in annual Government lease cost avoidance.

FY 2019 Committee Approval and Appropriation Requested ..................................$70,000,000

Program Summary
As part of its ongoing effort to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government’s environmental footprint, GSA is identifying consolidation opportunities within its inventory of real property assets. These opportunities are presented through surveys and studies, partnering with customer agencies, and through agency initiatives. Projects will vary in size by location and agency mission and operations; however, no single project will exceed $20 million in GSA costs. Funds will support consolidation of customer agencies and will not be available for GSA internal consolidations. Preference will be given to projects that result in an office utilization rate of 130 USF per person or less and a total project payback period of 10 years or less.

Typical projects include the following:

• Reconfiguration and alteration of existing Federal space to accommodate incoming agency relocation/consolidation. (Note: may include reconfigurations of existing occupied Federal tenant space); and

• Incidental alterations and system upgrades, such as fire sprinklers or heating, ventilation, and air conditioning, needed as part of relocation and consolidation.

Projects will be evaluated using the following criteria:

• Preference will be given to projects that are identified as a reduction opportunity by both GSA and the subject agency, and that meet the other criteria.

• Proposed consolidation projects will result in a reduction in annual rent paid by the impacted customer agency.
GSA

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU19

- Preference is given to consolidations within or into owned buildings over consolidations within or into leased space.

- Consolidation of expiring leases into owned buildings will be given preference over those business cases for lease cancellations that include a cancellation cost.

- Co-location with other agencies with shared resources and special space will be given preference.

- Links to other consolidation projects will be given preference.

Justification

GSA continually analyzes opportunities to improve space utilization and realize long-term cost savings for the Government. Funding for space consolidations is essential so that GSA can execute those opportunities.

Projects funded under this authorization will enable agencies to consolidate within Government-controlled leased space or relocate from either Government-controlled leased or federally owned space to federally owned space that more efficiently meets mission needs. These consolidations will result in improved space utilization, cost savings for the American taxpayers, and a reduced environmental impact.
PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Certification of Need
Current administration and congressional initiatives call for improved space utilization, lower costs for the Government, and a reduced environmental footprint. GSA has determined that the proposed consolidation program is the most practical solution to meeting those goals.

Submitted at Washington, DC, on February 12, 2018

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for repairs and alterations to upgrade, replace, and improve fire protection systems and life safety features in government-owned buildings during Fiscal Year 2019 at a total cost of $30,000,000, a prospectus for which is attached to and included in this resolution.
GSA

PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PFP-0001-MU19

FY 2019 Project Summary
This prospectus proposes alterations to upgrade, replace, and improve fire protection systems and life safety features in Government-owned buildings during fiscal year (FY) 2019.

Since FY 2010, the General Services Administration (GSA) has received $94,000,000 in support of this program. These funds supported 87 projects in over 72 Government-owned buildings.

FY 2019 Committee Approval and Appropriation Requested............................ $30,000,000

Program Summary
As part of its fire protection and life safety efforts, GSA currently is identifying projects in Federal buildings throughout the country through surveys and studies. These projects will vary in size, location, and delivery method. The approval and appropriation requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce fire and life safety hazards. Typical projects include:

- Replacing antiquated fire alarm and detection systems that are in need of repair or for which parts are no longer available.
- Installing emergency voice communication systems to facilitate occupant notification and evacuation in Federal buildings during an emergency.
- Installing or expanding, as necessary, fire sprinkler systems to provide a reasonable degree of protection for life and property from fire in Federal buildings.
- Constructing additional exit stairs or enclosing existing exit stairs to facilitate the safe and timely evacuation of building occupants in the event of an emergency.

Justification
GSA periodically assesses all facilities using technical professionals to identify hazards and initiate correction or risk-reduction protection strategies so that its buildings do not present an unreasonable risk to GSA personnel, occupant agencies, or the general public. Completion of these proposed projects will improve the overall level of safety from fire and similar risks in federally owned buildings in GSA’s portfolio nationwide.
PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PFP-0001-MU19

Certification of Need

Over the years, a number of fire protection and life safety issues have been identified that need to be addressed to reduce fire risk. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for alterations to improve physical security in government-owned buildings occupied by the Judiciary and U.S. Marshals Service during Fiscal Year 2019 in lieu of future construction of new facilities at a total cost of $11,500,000, a prospectus for which is attached to and included in this resolution.
PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU19

FY 2019 Project Summary
This prospectus proposes alterations to improve physical security in Government-owned buildings occupied by the Judiciary and the Department of Justice—U.S. Marshals Service (USMS) during fiscal year (FY) 2019.

Since FY 2012, GSA has received $106,700,000 in support of this program. These funds supported 11 projects.

FY 2019 Committee Approval and Appropriation Requested.............................. $11,500,000

Program Summary
The Judiciary Capital Security Program is dedicated to improving physical security in buildings occupied by the Judiciary and USMS. In most cases, these projects are in lieu of constructing new facilities, thereby providing cost savings and expedited delivery. These projects will vary in size, location, and delivery method and are designed to improve the separation of circulation for the public, judges, and prisoners. Funding provided for the security improvement projects will address elements such as adding doors, reconfiguring or adding corridors, reconfiguring or adding elevators and sallyports, and constructing physical or visual barriers.

Justification
This program provides a vehicle for addressing security deficiencies in a timely and less costly manner when constructing a new courthouse is unlikely in the foreseeable future. The projects in this program are based on studies undertaken by the Judiciary. This prospectus requests separate funding to address security conditions at existing Federal courthouses. The Judiciary’s asset management planning process helps in the compilation of a preliminary assessment of potential projects that involve courthouses with poor security ratings nationwide.
PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU19

Certification of Need
Over the years, a number of security issues have been identified that need to be addressed to reduce risk to physical security. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on ___February 12, 2018____

Recommended: ____________
Commissioner, Public Buildings Service

Approved: ____________
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for the full modernization of and to convert Building 48 from a vacant warehouse building into a fully occupied office building, including upgrading building systems and the fire suppression system, repairing structural and architectural deficiencies, installing an elevator, abating hazardous materials, and improving landscaping and underground utilities at the Denver Federal Center located at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of $3,821,000, an estimated construction cost of $40,516,000 and a management and inspection cost of $2,696,000 for a total estimated project cost of $47,035,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
The General Services Administration (GSA) proposes a repair and alteration project for a full modernization of Building 48 at the Denver Federal Center (DFC), located at West 6th Avenue and Kipling Street in Lakewood, CO. The project will convert Building 48 from a vacant warehouse building into a fully occupied Class A office building. The proposed project will upgrade building systems and the fire suppression system, repair structural and architectural deficiencies, install an elevator, abate hazardous materials, and improve landscaping and underground utilities. This project will provide an efficient office layout that both reduces agency utilization rates and allows for the backfill of approximately 149,000 rentable square feet (RSF) of vacant federally owned space. The renovated space will be occupied by the Department of the Interior (DOI) – Interior Business Center (IBC), which is currently housed in leased space. Relocation of IBC to Building 48 provides an annual lease cost avoidance of approximately $4,600,000 and an annual agency rent savings of approximately $1,200,000.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection) .....................................$47,035,000

Major Work Items
Electrical, heating, ventilation and air conditioning (HVAC), plumbing, and fire protection systems replacement; roof replacement; exterior closure repairs and replacement; interior construction; paving and landscaping; interior finishes; structural upgrades; demolition; utilities relocation; and elevator installation

Estimated Project Budget

Design ..................................................................................................................$ 3,821,000
Estimated Construction Cost (ECC) ............................................................ 40,516,000
Management & Inspection (M&I) ................................................................. 2,698,000
Estimated Total Project Cost (ETPC)* .................................................................$47,035,000

*Tenant agency may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

<table>
<thead>
<tr>
<th>Start</th>
<th>End</th>
</tr>
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<tbody>
<tr>
<td>FY 2019</td>
<td>FY 2022</td>
</tr>
</tbody>
</table>
Building

Building 48 is part of the DFC’s main campus and contains 154,422 gross square feet. The first section of the building was originally constructed in 1941 as part of the Denver Ordinance Plant, with additions made in the 1950s, 1960s, and in 1971. The building is predominantly warehouse space that was formerly occupied by the National Archives and Records Administration (NARA), which moved to a new location in 2013.

Tenant Agencies

Department of the Interior – Interior Business Center

Proposed Project

The project proposes a full modernization of Building 48 to renovate approximately 149,000 RSF of space, including the addition of a main entrance with an atrium to provide for daylighting. A below-grade courtyard will provide access and natural light for the basement-level office space with new windows and landscaping. This project will allow for a higher density open office environment and the relocation of the IBC from leased space.

Exterior walls will be insulated, repaired, and re-caulked, and the masonry will be repointed. All exterior windows will be replaced with efficient insulated glazing. Additional windows will be added to increase natural light. The entire roof and roof drain system will be replaced with skylights and solar tubes to provide top lighting, thereby increasing daylight penetration into the building’s interior spaces. The project also will replace exterior stairs, railings, ramps, and sidewalks. A parking lot to accommodate approximately 500 parking spaces will be constructed. Site utilities will be replaced and relocated.

The basement will be built out and used for office space. To accommodate the use of the basement, a passenger elevator will be installed. Walls that do not provide structural support will be removed to create an open office area. Some loading docks will be removed, and the remaining docks will have new levelers, seal enclosures on doors, and electric vehicle charging stations installed. There also will be structural repairs and upgrades to provide sufficient support to the existing structure and additions.

The plumbing systems for hot water, chilled water, and sanitary sewer piping will be replaced, along with two domestic hot water heaters and gas piping. The project also includes an energy-efficient cooling and heating system with appropriate air distribution and building automation system, new electrical system, emergency power, a lighting
system, a telecom room and equipment, security access control equipment, and a
lightning protection system. Fire protection upgrades, including fire sprinklers and new
fire alarm, will be installed. Architectural Barriers Act Accessibility Standards
requirements will be addressed by automatic entrances, audible and visual notification
systems, egress doors, larger stairwells, and accessible restrooms and parking spaces.
The project also will abate hazardous materials encountered during construction.

**Major Work Items**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Replacement</td>
<td>$7,979,000</td>
</tr>
<tr>
<td>HVAC Replacement</td>
<td>8,486,000</td>
</tr>
<tr>
<td>Interior Finishes</td>
<td>5,453,000</td>
</tr>
<tr>
<td>Plumbing Replacement</td>
<td>4,171,000</td>
</tr>
<tr>
<td>Interior Construction</td>
<td>2,378,000</td>
</tr>
<tr>
<td>Paving and Landscaping</td>
<td>2,975,000</td>
</tr>
<tr>
<td>Exterior Closures Repairs and Replacement</td>
<td>2,305,000</td>
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<tr>
<td>Structural Upgrades</td>
<td>1,453,000</td>
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<tr>
<td>Fire Protection Replacement</td>
<td>607,000</td>
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<tr>
<td>Demolition</td>
<td>3,962,000</td>
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<tr>
<td>Roof Replacement</td>
<td>455,000</td>
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<tr>
<td>Utilities Relocation</td>
<td>292,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$40,516,000</strong></td>
</tr>
</tbody>
</table>

**Justification**

Building 48 was occupied by NARA for approximately 50 years and has been vacant for
approximately 3 years. The building is predominantly warehouse space and is essentially
a building shell that requires a complete modernization to facilitate the backfill.

Completion of this project reduces vacant space by approximately 149,000 RSF and
eliminates approximately $5 million in future annual lease payments to the private sector.
IBC is currently housed in three leased locations and experiencing growth. GSA has
been working closely with IBC since 2009 to create a solution that will allow it to
consolidate its leases, provide more efficient work space, and upgrade its space to meet
the modern day demands of running its business.

This project will provide IBC with a higher quality, more efficient work environment,
progressive alternative workplace arrangements with shared resources, open office space,
flexible conference rooms, and collaboration areas, in addition to telework and office
sharing. IBC will be closer to the other DOI bureaus and offices at the DFC, thereby providing easier access to its services.

The proposed full modernization of Building 48 will transform a deteriorating core asset at the heart of one of the country’s largest Federal Government campuses into a high-performing LEED Gold facility capable of housing Class A office space for at least the next 30 years.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years):
None

Alternatives Considered (30-year, present value cost analysis)

- Alteration: ................................................................. $76,036,000
- Lease: ........................................................................ $179,994,000
- New Construction: .................................................. $109,031,000

The 30-year, present value cost of alteration is $103,958,000 less than the cost of leasing, with an equivalent annual cost advantage of $3,465,000.

Recommendation
ALTERATION
GSA

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO

Prospectus Number: PCO-0522-LA19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: Commissioner, Public Buildings Service

Approved: Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for the partial modernization of Building 53, including upgrading building systems and backfilling vacant space at the Denver Federal Center located at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of $3,464,000, an estimated construction cost of $38,306,000 and a management and inspection cost of $2,757,000 for a total estimated project cost of $44,527,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
Prospectus Number: PCO-0530-LA19
Congressional District: 7

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for a partial modernization and backfill of Building 53 at the Denver Federal Center (DFC) located at West 6th Avenue and Kipling Street in Lakewood, CO. The proposed project will upgrade building systems and backfill vacant space. This project will provide a more efficient layout that both reduces agency utilization rates and allows for the recapture of and backfill of approximately 164,000 rentable square feet of vacant federally owned space. The vacant space will be occupied by the Department of the Interior (DOI) – Business Integration Office (BIO), DOI – Fish & Wildlife Service (FWS), and DOI – Office of Chief Information Officer (OCIO). Relocation of FWS and OCIO to Building 53 provides an annual lease cost avoidance of approximately $3,000,000 and an annual agency rent savings of approximately $600,000.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection) ........................................... $44,527,000

Major Work Items

Electrical, heating, ventilation and air conditioning (HVAC), roof, fire protection, and plumbing systems replacements; exterior closure repairs; interior finishes; paving, landscaping and site utilities; structural upgrades; and elevator repair and installation

Estimated Project Budget

Design ......................................................... $3,464,000
Estimated Construction Cost (ECC) ......................................................... 38,306,000
Management & Inspection (M&I) ......................................................... 2,757,000
Estimated Total Project Cost (ETPC)* ................................................. $44,527,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

<table>
<thead>
<tr>
<th></th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design and Construction</td>
<td>FY 2019</td>
<td>FY 2022</td>
</tr>
</tbody>
</table>
PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO

Prospectus Number: PCO-0530-LA19
Congressional District: 7

Building
Building 53 is part of the DFC’s main campus and contains 387,826 gross square feet. The building was originally constructed in 1941 as part of the Denver Ordinance Plant. The building is a two-story brick structure with predominantly office space and some lab and warehouse space.

Tenant Agencies
Department of Agriculture – Forest Service, Natural Resources Conservation Service; Department of Health and Human Services – Office of the Secretary, Centers for Disease Control and Prevention; Department of Labor – Office of Inspector General, Employee Standards Administration, Office of Workers Compensation Program; Department of the Interior – Geological Survey, Bureau of Land Management, National Park Service, Bureau of Reclamation, Office of the Secretary, Office of Natural Resources and Revenue, BIO, FWS, OCIO; Department of Transportation – Pipeline and Hazardous Materials Safety Administration; Department of Veterans Affairs – Office of Information and Technology, Veteran Benefits Administration; Department of Homeland Security – Federal Protective Service; Environmental Protection Agency; Department of Defense – Defense Civilian Personnel Advisory Service; Small Business Administration; GSA – Public Buildings Service Field Office, Retail Service.

Proposed Project
This project will allow for a higher density open office environment and the relocation of FWS and OCIO from leased space. BIO also will be relocating from other Government-owned space at the DFC.

In addition to vacant space recapture, the following work will take place in the vacant space to be backfilled, as well as the common spaces: replace electrical power devices, cables, and telephone and data systems; replace light fixtures, lighting controls and related cable; upgrade the cooling and heating system equipment, controls and air distribution; and fire protection upgrades, including fire sprinklers and alarms. The plumbing systems for hot water and chilled water and plumbing fixtures will be replaced.

The project includes paving and landscaping for a parking lot to accommodate approximately 65 vehicles and relocation of utilities to provide lighting for the parking lot.

The foundation and floor slab will be repaired throughout the building, as required. The project includes replacement of the sanitary sewer system for the entire building, the roof,
and the exterior windows, which replacement will include efficient insulated glazing. Exterior walls will be insulated and repaired, the masonry will be re-caulked and repointed, and some exterior doors will be replaced. All restrooms will be upgraded with new finishes. The existing elevators will be upgraded and one new elevator will be installed at the main entrance.

**Major Work Items**

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Replacement</td>
<td>$10,385,000</td>
</tr>
<tr>
<td>Interior Finishes</td>
<td>7,655,000</td>
</tr>
<tr>
<td>HVAC Replacement</td>
<td>3,266,000</td>
</tr>
<tr>
<td>Exterior Closures Repairs and Replacement</td>
<td>5,312,000</td>
</tr>
<tr>
<td>Roof Replacement</td>
<td>5,043,000</td>
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<tr>
<td>Fire Protection Replacement</td>
<td>2,272,000</td>
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<tr>
<td>Plumbing Replacement</td>
<td>1,605,000</td>
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<tr>
<td>Paving, Landscaping and Site Utilities</td>
<td>1,268,000</td>
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<tr>
<td>Structural Upgrades</td>
<td>945,000</td>
</tr>
<tr>
<td>Elevator Repair and Installation</td>
<td>555,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$38,306,000</strong></td>
</tr>
</tbody>
</table>

**Justification**

The building has not undergone significant reinvestment since originally constructed in 1941. Many of its systems no longer meet the current code requirements or have exceeded their useful life, and replacement parts are expensive and difficult to find. DOI is the largest tenant on the DFC and is actively working with GSA to reduce its footprint and eliminate multiple private sector leases. This project will provide a high-quality, more efficient work environment, the ability to embrace new technologies, and better space layout. This allows increased collaboration and coordination among DOI’s bureaus to better fulfill their missions and goals. These moves are part of the GSA and DOI long-term strategic plan for the DFC and will transform a deteriorating core asset into a high-performing facility that will continue operating for at least another 30 years.

The lighting, electrical system, and various components of the HVAC system are beyond their useful lives and need to be brought up to current design standards. Currently, there is no emergency generator to support the building. The windows are outdated and do not meet required thermal and infiltration performance levels. The roof is in poor condition and beyond its useful life, and the building envelope needs to be sealed to prevent water infiltration into customer space and avoid further work outages. The fire protection system is outdated and will be upgraded in renovated space and common areas. The
sewer piping is at the end of its useful life and needs to be replaced. New domestic water supply and fixtures will be required for newly renovated areas, as well as common areas. An additional parking area is needed to accommodate the increased number of tenants. The floor is uneven in some areas and the floor slab is cracking and heaving. The existing elevators are in need of upgrades, in addition to a new passenger elevator to better distribute upper level access across the building.

Undertaking the necessary infrastructure improvements will reduce greenhouse gas emissions, improve energy efficiency, reduce maintenance costs, help facilitate long-term tenancy, and meet customer agency needs.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years):
None

Alternatives Considered (30-year, present value cost analysis)

<table>
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<tr>
<th>Alternative</th>
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<td>Alteration</td>
<td>$65,113,000</td>
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<tr>
<td>Lease</td>
<td>$308,688,000</td>
</tr>
<tr>
<td>New Construction</td>
<td>$199,403,000</td>
</tr>
</tbody>
</table>

The 30-year, present value cost of alteration is $243,575,000 less than the cost of leasing, with an equivalent annual cost advantage of $8,119,000.

Recommendation
ALTERATION
PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO

Prospectus Number: PCO-0530-LA19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for realigning and reconfiguring approximately 286,000 usable square feet of Department of Education-occupied space and upgrading or replacing multiple building systems at the Lyndon Baines Johnson Federal Building located at 400 Maryland Avenue, SW in Washington, D.C. at an additional design cost of $1,266,000, an estimated construction cost of $30,431,000, a management and inspection cost of $825,000 for a total additional project cost of $32,522,000 and a total estimated project cost of $36,722,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
GSA

PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0010-WA19

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for
the Lyndon Baines Johnson (LBJ) Federal Building located at 400 Maryland Avenue,
SW, Washington, DC. The proposed project will realign and reconfigure approximately
286,000 usable square feet (USF) of Department of Education (Education)-occupied
space and upgrade or replace multiple building systems. The proposed renovation
will support GSA and Education’s ongoing efforts to improve Education’s utilization of space
and generate an annual lease cost avoidance of approximately $6,500,000 and an annual
agency rent savings of approximately $3,000,000.

FY 2019 Committee Approval and Appropriation Requested

(Additional Design, Construction, Management & Inspection) .................. $32,522,000

Major Work Items

Electrical, heating, ventilation and air conditioning (HVAC), fire and life safety, and
plumbing systems upgrades/replacements; demolition; interior construction

Project Budget

Design (FY 2018) ............................................................................................................... $ 4,200,000
Design ............................................................................................................................... 1,266,000
Estimated Construction Cost (ECC) ............................................................................. 30,431,000
Management and Inspection (M&I) ........................................................................... 825,000
Estimated Total Project Cost (ETPC)* ........................................................................ $36,722,000

*The tenant agency may fund an additional amount for tenant improvements above the
standard normally provided by GSA.

Schedule

<table>
<thead>
<tr>
<th>Start</th>
<th>End</th>
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</thead>
<tbody>
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<td>Design</td>
<td>FY 2018 FY 2019</td>
</tr>
<tr>
<td>Construction</td>
<td>FY 2019 FY 2023</td>
</tr>
</tbody>
</table>

Building

Constructed in 1959, the LBJ Federal Building consists of 640,332 gross square feet and
386,635 USF. The building has seven floors occupied above grade, plus a mechanical
penthouse, and two levels below grade, including the basement parking area. The
property is across the street from the Smithsonian’s Air and Space Museum, as well as the
National Museum of the American Indian. A planned memorial to President Dwight D.
Eisenhower is expected to be constructed in the next few years on the north side of the LBJ Federal Building.

**Tenant Agencies**

Department of Education

**Proposed Project**

The project proposes to renovate and reconfigure floors 3, 4, 6, and 7 of the existing building, resulting in an open office environment with sufficient work and meeting space to meet Education's programmatic requirements in a much more efficient manner while consolidating personnel from leased space.

The majority of the building system capacities will meet the forecast demand after consolidation, but a few system upgrades are needed. These upgrades include the HVAC controls, new power distribution circuits and breaker ties, open mobile workspace construction, and a new generator.

The proposed project also includes life safety items, such as new fire alarm annunciators and replacement of equipment in fire control rooms, and items to improve energy efficiency. Additionally, the switchgear replacement project will replace the medium and low voltage switchgear and network transformers and protectors, and upgrade the monitoring devices within the switchgears to be compatible with GSA requirements for the advanced metering systems.

**Major Work Items**

<table>
<thead>
<tr>
<th>Work Items</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>Electrical Upgrades</td>
<td>$21,603,000</td>
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<tr>
<td>Interior Alterations</td>
<td>6,892,000</td>
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<tr>
<td>Life Safety Upgrades</td>
<td>974,000</td>
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<tr>
<td>Plumbing Upgrades</td>
<td>962,000</td>
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<tr>
<td><strong>TOTAL ECC</strong></td>
<td><strong>$30,431,000</strong></td>
</tr>
</tbody>
</table>

**Justification**

The proposed project will increase the utilization of the LBJ Federal Building, thereby allowing Education to use the space more efficiently and cost effectively and reduce its reliance on privately owned leased space. This reduction will further reduce the Government's real estate footprint and save the taxpayer's money.
The existing medium- and low-voltage switchgear is obsolete and lacks the safety features and equipment required. Upgrading the current equipment will achieve at least another 20 years of reliable service.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

None

**Prior Prospectus-Level Projects in Building (past 10 years):**

None

**Alternatives Considered (30-year, present value cost analysis)**

- Alteration: $314,697,947
- Lease: $580,101,162
- New Construction: $325,073,546

The 30-year, present value cost of alteration is $265,403,215 less than the cost of leasing, with an equivalent annual cost advantage of $13,192,970.

**Recommendation**

ALTERATION
PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC

Prospectus Number: PDC-0010-WA19

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
AMENDED COMMITTEE RESOLUTION
ALTERATION—MINTON-CAPEHART FEDERAL
BUILDING, INDIANAPOLIS, IN

Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-
resentatives, that pursuant to 40 U.S.C. § 3307,
appropriations are authorized for repairs and
alterations for structural and related system
upgrades of the parking garage at the
Minton-Capehart Federal Building located at
575 North Pennsylvania Street in Indianap-
olis, Indiana of a reduction in design cost of
$195,000, an additional estimated construc-
tion cost of $3,358,000 and a reduction in man-
agement and inspection cost of $6,000 for a
total additional cost of $3,157,000 and total
estimated project cost of $13,941,000, a pro-
spectus for which is attached to and included
in this resolution. This resolution amends
the authorization of the Committee on May
25, 2016 of Prospectus No. PIN-0133-1N17.

Provided, that the General Services Admin-
istration shall not delegate to any other
agency the authority granted by this resolu-
tion.

Provided further, not later than 30 calendar
days after the date on which a request from
the Chairman or Ranking Member of the
Committee on Transportation and Infra-
structure of the House of Representatives is
received by the Administrator of General
Services, the Administrator shall provide
such Member a response in writing that pro-
vides any information requested regarding
the project.
AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project to undertake structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street in Indianapolis, IN. The proposed project will address safety and operability issues of the rapidly deteriorating garage.

This prospectus amends Prospectus No. PIN-0133-IN17. GSA is requesting approval of an additional $3,157,000 to account for cost escalations and refined project scope and budget.

FY 2019 Committee Approval Requested
(Construction) ................................................................................................... $3,157,000

FY 2019 Committee Appropriation Requested
(Design, Construction, Management & Inspection) ....................................... $13,941,000

Major Work Items
Superstructure repairs and demolition; electrical and fire protection replacement/upgrades

Project Budget
Design ............................................................................................................ $904,000
Estimated Construction Cost (ECC) .......................................................... 12,165,000
Management and Inspection (M&I) ......................................................... 872,000
Estimated Total Project Cost (ETPC)* ................................................... $13,941,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

1 The amount approved for Design and Management and Inspection in Prospectus No. PIN-0133-IN17 by the House and Senate Committees includes $201,000 ($195,000 Design and $6,000 Management and Inspection) more than the current estimate. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved $195,000 from Design and $6,000 from Management and Inspection to Construction.
AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Schedule

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design and Construction</td>
<td>FY 2019</td>
<td>FY 2022</td>
</tr>
</tbody>
</table>

Building

The Minton-Capehart Federal Building, built in 1974, is six stories above grade and includes a mezzanine and basement. The attached parking garage, which is original to the building, is two stories, with the first story partially below grade and partially exposed to the elements. The garage provides 464 parking spaces, which accommodates Government-owned, including law enforcement, vehicles, and 75 vehicles associated with the nearby Birch Bayh Federal Building and U.S. Courthouse tenants. The upper deck serves as a partial cover for the lower deck. The garage is elevated and entirely open to the atmosphere and elements. The garage’s upper deck is joined to the Federal Building’s first floor entry and plaza. The lower level has a dock area that is also attached to the Federal Building.

Tenant Agencies

Department of Housing and Urban Development, Department of Justice, Department of the Treasury, Department of Veterans Affairs, Department of Homeland Security, GSA, Department of Transportation, National Labor Relations Board, Social Security Administration, Department of Labor (parking only), and Judiciary (parking only)

Proposed Project

The proposed project scope includes concrete repairs and upgrades to lateral load resistance, which will extend the life of the parking structure for several decades. The upper level slab will be replaced, and a new membrane for vehicle bearing surfaces will be installed over the top of the new slab. Existing beams will be repaired or replaced at locations where concrete has spalled. New concrete shear walls will be constructed. The project also includes improvements to the supporting columns, shear walls, and exterior stairwells, as well as improvements to the lighting and fire protection and installation of bollards at the garage entrance and exits.

Major Work Items

<table>
<thead>
<tr>
<th>Major Work Items</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Superstructure Repairs and Demolition</td>
<td>$10,875,000</td>
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<tr>
<td>Electrical Replacement/Upgrades</td>
<td>$771,000</td>
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<td>Fire Protection Replacement/Upgrades</td>
<td>$192,000</td>
</tr>
<tr>
<td>Total ECC</td>
<td>$12,165,000</td>
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</table>
The garage is over 40 years old and is in urgent need of a major renovation. The garage is suffering from multiple concrete-related failures including: delamination on the floor slabs and beams, and slab reinforcement with extensive section loss; concrete spalling and delamination at some column facades; water leakage on the underside of the supported level; and deteriorated expansion joints. The current electrical infrastructure will be upgraded/replaced to meet current codes. The installation of bollards on both the entrance and exit ramps of the garage will enhance security.

Interim short-term repairs have been undertaken with minor repair and alteration program funds over the past decade in an attempt to address immediate safety measures. The corrosion, spalling, and delamination of the structure are threatening tenant and property safety. Sections of the garage have been closed due to the risk. Currently, two parking spaces in the lower level are closed due to falling concrete. Ten additional parking spaces in the lower level are closed due to water leaks from the upper deck that have damaged several vehicles. Until a major repair is completed, tenant safety will continue to be threatened, closures of sections of the garage will need to be continued and expanded, and degradation of the garage deck will continue.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.
Prior Appropriations
None

Prior Committee Approvals

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
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<tbody>
<tr>
<td>House T&amp;I</td>
<td>5/25/2016</td>
<td>$10,784,000</td>
<td>Design = $1,099,000</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>ECC = $8,807,000</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>M&amp;I = $878,000</td>
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<tr>
<td>Senate EPW</td>
<td>5/18/2016</td>
<td>$10,784,000</td>
<td>Design = $1,099,000</td>
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<tr>
<td></td>
<td></td>
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<td>M&amp;I = $878,000</td>
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</table>

Prior Prospectus-Level Projects in Building (past 10 years)

<table>
<thead>
<tr>
<th>Prospectus</th>
<th>Description</th>
<th>FY</th>
<th>Amount</th>
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<tbody>
<tr>
<td>P.L. 111-5 (ARRA)</td>
<td>Modernization</td>
<td>2009</td>
<td>$48,086,000</td>
</tr>
</tbody>
</table>

Alternatives Considered (30-year, present value cost analysis)
There are no feasible alternatives to this project. This is a limited scope renovation, and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation
ALTERATION
AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for a consolidation project that will relocate the U.S. Bankruptcy Court from leased space to owned space at the Potter Stewart U.S. Courthouse located in Cincinnati, Ohio at a design cost of $3,086,000, an estimated construction cost of $27,229,000, a management and inspection cost of $2,570,000 for a total estimated project cost of $32,885,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
GSA

PROSPECTUS — ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

FY 2019 Project Summary
The General Services Administration (GSA) proposes a consolidation project that will relocate the U.S. Bankruptcy Court (USBC) from over 38,000 usable square feet (USF) of leased space to approximately 21,000 USF in the Potter Stewart U.S. Courthouse (Potter Stewart Courthouse). The project will meet the long-term housing needs of USBC, decrease the Federal Government’s reliance on leased space, reduce federally owned vacant space, and improve space utilization in the Potter Stewart Courthouse. Approximately $1.6 million in annual lease costs will be avoided, with savings of approximately $160,000 in annual agency rent payments.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection) .................................. $32,885,000

Major Work Items
Interior construction; demolition and hazardous materials abatement; heating, ventilation, and air conditioning (HVAC); electrical, plumbing and life safety upgrades

Project Budget

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>$3,086,000</td>
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<tr>
<td>Estimated Construction Cost (ECC)</td>
<td>$27,229,000</td>
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<tr>
<td>Management &amp; Inspection (M&amp;I)</td>
<td>$2,570,000</td>
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<tr>
<td>Estimated Total Project Cost (ETPC)*</td>
<td>$32,885,000</td>
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</tbody>
</table>

* Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

<table>
<thead>
<tr>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2019</td>
<td>FY 2024</td>
</tr>
</tbody>
</table>

Building
The Potter Stewart Courthouse, built in 1938, is a nine-story structure designed in the Art Modern style. The primary elevations are clad in limestone atop a granite base. The courthouse is approximately 529,000 gross square feet, with 11 outside parking spaces. It is located within Cincinnati’s Central Business District and is listed in the National Register of Historic Places. It serves as the main office for the Sixth Circuit Court Executive. A service and pedestrian tunnel connects the building to the John Weld Peck Federal Building.
PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

Tenant Agencies
Judiciary, Department of Justice, GSA

Proposed Project
The proposed project involves alterations to consolidate USBC’s space into the Potter Stewart Courthouse from leased space. The construction will create two USBC courtrooms and chambers, clerk space, and shared support spaces. HVAC, electrical, plumbing, and life safety system upgrades required to house USBC in the courthouse also will be completed. To provide contiguous space for USBC, some of the existing customer agency space may be relocated within the courthouse.

Major Work Items

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Construction</td>
<td>$21,411,000</td>
</tr>
<tr>
<td>Demolition /Hazardous Materials Abatement</td>
<td>1,825,000</td>
</tr>
<tr>
<td>HVAC Upgrades</td>
<td>2,630,000</td>
</tr>
<tr>
<td>Electrical Upgrades</td>
<td>1,128,000</td>
</tr>
<tr>
<td>Plumbing Upgrades</td>
<td>133,000</td>
</tr>
<tr>
<td>Life Safety Upgrades</td>
<td>102,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$27,229,000</strong></td>
</tr>
</tbody>
</table>

Justification
The Potter Stewart Courthouse has approximately 30,000 USF of vacant space. USBC, which currently is in 38,000 USF of leased space, will backfill approximately 21,000 USF in the building once the project is completed. The majority of the remaining vacant space will be in the basement and sub-basement of the building. Bringing USBC into the Potter Stewart Courthouse will co-locate all of the judiciary’s space in Cincinnati into one location and will avoid approximately $1.6 million in annual lease costs.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None
PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years)
None

Alternatives Considered (30-year, present value cost analysis)

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Alteration</td>
<td>$40,715,000</td>
</tr>
<tr>
<td>Lease</td>
<td>$66,844,000</td>
</tr>
<tr>
<td>New Construction</td>
<td>$45,072,000</td>
</tr>
</tbody>
</table>

The 30-year, present value cost of alteration is $26,129,000 less than the cost of leasing, with an equivalent annual cost advantage of $1,299,000.

Recommendation
ALTERATION
PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
**February 2018**

**Housing Plan**

**Potter Stewart U.S. Courthouse**

**Cincinnati, OH**

<table>
<thead>
<tr>
<th>Leased Location</th>
<th>CURRENT</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
</tr>
<tr>
<td><strong>231 E. 4th St.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Judiciary-U.S. Bankruptcy Court</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>25</td>
<td>25</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Federally-owned Locations</th>
<th>CURRENT</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
</tr>
<tr>
<td><strong>Potter Stewart U.S. Courthouse</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DOJ - U.S. Marshals Service</td>
<td>32</td>
<td>32</td>
</tr>
<tr>
<td>DOJ - Office of U.S. Attorneys</td>
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<td>-</td>
</tr>
<tr>
<td>DHS - Federal Protective Service</td>
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<td>-</td>
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<tr>
<td>GSA</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Judiciary-U.S. District Court</td>
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<td>53</td>
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<tr>
<td>Judiciary-U.S. Court of Appeals</td>
<td>144</td>
<td>144</td>
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<td>Judiciary - Circuit Executive</td>
<td>21</td>
<td>21</td>
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<td>Judiciary-Probation</td>
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</tr>
<tr>
<td>Judiciary- Pretrial Services</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>U.S. Tax Court</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Judiciary-U.S. Bankruptcy Court</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Joint Use</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>284</td>
<td>284</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>309</td>
<td>309</td>
</tr>
</tbody>
</table>

**Office Utilization Rate**

<table>
<thead>
<tr>
<th>Building Office Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Office Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td>All Building Office Tenants (including Judiciary, Congress, and agencies with less than 10 employees)</td>
<td>347</td>
<td>292</td>
</tr>
</tbody>
</table>

**Total Building USF Rate**

<table>
<thead>
<tr>
<th>Building Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Tenants (including Judiciary, Congress, and agencies with less than 10 employees)</td>
<td>628</td>
<td>628</td>
</tr>
</tbody>
</table>

**Notes:**

1 USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

2 Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.

3 Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse located at the intersection of Superior Avenue and Huron Road in Cleveland, Ohio of an additional design cost of $342,000, an additional estimated construction cost of $3,788,000 and an additional management and inspection cost of $310,000 for a total additional project cost of $4,400,000 and total estimated project cost of $19,964,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 23, 2018 of Prospectus No. POH-0301-CL17. Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution. Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
The General Services Administration (GSA) proposes a repair and alteration project to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse (Stokes Courthouse) located at 801 W. Superior Avenue in Cleveland, OH. The completion of the proposed repairs will correct the ongoing deterioration of the plaza system, eliminate water infiltration into the building, and allow for the completion of the plaza toward Superior Avenue, which has remained unfinished since construction of the courthouse in 2002.

This prospectus amends Prospectus No. POH-0301-CL17. GSA is requesting approval of an additional $4,440,000 to account for cost escalations and refined project scope.

**FY 2019 Project Summary**

The General Services Administration (GSA) proposes a repair and alteration project to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse (Stokes Courthouse) located at 801 W. Superior Avenue in Cleveland, OH. The completion of the proposed repairs will correct the ongoing deterioration of the plaza system, eliminate water infiltration into the building, and allow for the completion of the plaza toward Superior Avenue, which has remained unfinished since construction of the courthouse in 2002.

This prospectus amends Prospectus No. POH-0301-CL17. GSA is requesting approval of an additional $4,440,000 to account for cost escalations and refined project scope.

**FY 2019 Committee Approval Requested**

(Design, Construction, and Management & Inspection) $4,440,000

**FY 2019 Appropriation Requested**

(Design, Construction, and Management & Inspection) $19,964,000

**Major Work Items**

Sitework

**Project Budget**

<table>
<thead>
<tr>
<th> </th>
<th>Design</th>
<th>Estimated Construction Cost (ECC)</th>
<th>Management and Inspection (M&amp;I)</th>
<th>Estimated Total Project Cost (ETPC)</th>
</tr>
</thead>
<tbody>
<tr>
<td> </td>
<td>$1,855,000</td>
<td>$16,515,000</td>
<td>$1,594,000</td>
<td>$19,964,000</td>
</tr>
</tbody>
</table>

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

**Schedule**

<table>
<thead>
<tr>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2019</td>
<td>FY 2023</td>
</tr>
</tbody>
</table>

**Building**

The Stokes Courthouse is a 766,000 gross square foot building with 21 stories above grade and 3 below grade. Construction of the building was completed in 2002, and its
primary function is to serve as a Federal courthouse. The Stokes Courthouse is located at the intersection of Superior Avenue and Huron Road. The existing plaza spans the front of the property along Huron Road and was originally designed to extend to the corner of Superior Avenue. The building acts as an anchor to the downtown area of Cleveland and is prominent in the city’s skyline.

**Tenant Agencies**
Judiciary, Department of Justice, Senate, GSA

**Proposed Project**
The project proposes to repair the plaza at the Stokes Courthouse to eliminate water leaks and infiltration into the lower levels of the building. The scope includes refishing and reinforcing the structural steel that supports the plaza, along with repairs to fireproofing and upgrading the surface parking lot.

The project also proposes to extend the currently incomplete plaza toward Superior Avenue as was envisioned in the original design. Due to a funding shortage when the building was originally constructed, a portion of the plaza was left unfinished.

**Major Work Items**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sitework</td>
<td>$16,515,000</td>
</tr>
<tr>
<td>Total ECC</td>
<td>$16,515,000</td>
</tr>
</tbody>
</table>

**Justification**
The structural steel that supports the plaza is exposed to the elements and has been since the original construction. The steel has considerable rust damage, and the structural beams that support the plaza and connect into the parking garage are heavily corroded. Part of the unfinished plaza includes the base of the structural steel columns that are at grade with the Cleveland Regional Transit Authority train tracks and support beams that run above and across the train tracks. If the steel continues to be left unattended, it will become difficult to repair and will result in structural issues. The corroded steel is also very unsightly and detracts from the appearance of the courthouse.

The plaza has experienced excessive water infiltration in many areas that will worsen until repairs are completed. The leaks have been causing damage to the structure, interior finishes, and the fireproofing in the lower levels of the building.
The plaza surrounding the Stokes Courthouse remains incomplete from the time of the original construction in 2002. The sidewalk on the northwest side of the site is built on a portion of the city-owned and controlled Huron Road. This sidewalk is the only way to access the building from the southeast intersection of Huron Road and Superior Avenue. Once the plaza is completed, the sidewalk will be returned to the city, and this will restore a lane of traffic on Huron Road. Completion of the plaza will protect the structural steel from future damage, improve pedestrian access to the building, incorporate the building into the surrounding urban environment, and significantly improve the appearance of the Stokes Courthouse. The building’s location within the city acts as a prominent gateway for those entering into the city from the west. Unfortunately, this impression is lost when visitors reach the intersection of Huron Road and Superior Avenue, where the steel installed for the completion of the plaza is rusting and the appearance of the facility at street level is that of a public building that is difficult to approach.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service.* GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

**Prior Appropriations**

None

**Prior Committee Approvals**

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date</th>
<th>Amount</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>House T&amp;I</td>
<td>5/25/2016</td>
<td>$15,524,000</td>
<td>Design = $1,513,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>ECC = $12,727,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>M&amp;I = $1,284,000</td>
</tr>
<tr>
<td>Senate EPW</td>
<td>5/18/2016</td>
<td>$15,524,000</td>
<td>Design = $1,513,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>ECC = $12,727,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>M&amp;I = $1,284,000</td>
</tr>
</tbody>
</table>

**Prior Prospectus-Level Projects in Building (past 10 years)**

None
AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH

Prospectus Number: POH-0301-CL19
Congressional District: 11

Alternatives Considered (30-year, present value cost analysis)
There are no feasible alternatives to this project. This project is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation
ALTERATION
AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH

Prospectus Number: POH-0301-CL19
Congressional District: 11

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Committee Resolution
ALTERATION—U.S. CUSTOM HOUSE,
PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for repairing and replacing domestic and storm water systems and upgrading and replacing the heating, ventilation, and air conditioning system at the U.S. Custom House located at 200 Chestnut Street in Philadelphia, Pennsylvania at a design cost of $7,440,000, an estimated construction cost of $78,025,000, a management and inspection cost of $10,005,000 for a total estimated project cost of $95,470,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

FY 2019 Project Summary
The General Services Administration (GSA) proposes a repair and alteration project for the U.S. Custom House (Custom House) located at 200 Chestnut Street in Philadelphia, PA. The proposed project will repair/replace the building’s domestic and storm water systems and upgrade/replace the heating, ventilation, and air conditioning (HVAC) system to a more efficient, modern design.

FY 2019 Committee Approval and Appropriation Requested
(Design, Construction, Management & Inspection) $95,470,000

Major Work Items
HVAC upgrades/replacement; interior construction; demolition/abatement; plumbing repair/replacement; electrical, fire and life safety system upgrades; and roof upgrades

Project Budget
Design $7,440,000
Estimated Construction Cost (ECC) 78,025,000
Management & Inspection (M&I) 10,005,000
Estimated Total Project Cost (ETPC) $95,470,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule
Start FY 2019 End FY 2025

Building
The Custom House is a 19-story, approximately 565,000 gross square foot building located on the eastern side of the Philadelphia central business district. The building was originally constructed in 1934 and is primarily utilized as office space. The Custom House is listed in the National Register of Historic Places and is distinguished by an ornate, three-story rotunda situated in the main lobby.
PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Tenant Agencies
Department of Homeland Security, Department of Justice, Department of Health and Human Services, Department of the Interior, Department of State, Department of Agriculture, U.S. Tax Court, U.S. Senate, GSA

Proposed Project
The building is suffering from recurrent flooding caused by the aged domestic water piping system and significant temperature and indoor air quality issues caused by the insufficient and outdated HVAC system. Electrical system components will be replaced to support the HVAC systems. Mitigation of hazardous materials and associated sprinkler modifications will be accomplished in disturbed areas as part of the project.

To repair the building’s domestic water system, the piping will need to be exposed, abated of asbestos, inspected, and repaired. Concurrently, the building’s induction unit system will be removed, abated of asbestos, and upgraded to a four-pipe fan coil system. Due to the invasive nature of this work and the presence of hazardous materials, the majority of building tenants will be moved into internal swing space.

The less invasive aspects of the project include repairing the storm water system, replacing the building automation system, replacing the air handling units, partial conversion to variable air volume serving interior zones, replacing the heating and chilled water systems, and replacing the boilers.

As noted above, this renovation is in an occupied building so the proposed project includes allowances for internal swing space. The project minimizes tenant impact by using internal swing space and hazardous materials enclosures, as well as by completing the scope items together.
Prospectus - Alteration
U.S. Custom House
Philadelphia, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Major Work Items

<table>
<thead>
<tr>
<th>Work Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>HVAC Upgrades/Replacement</td>
<td>$45,363,000</td>
</tr>
<tr>
<td>Interior Construction</td>
<td>16,491,000</td>
</tr>
<tr>
<td>Demolition/Abatement</td>
<td>9,360,000</td>
</tr>
<tr>
<td>Plumbing Repair/Replacement</td>
<td>3,624,000</td>
</tr>
<tr>
<td>Electrical Upgrades</td>
<td>2,225,000</td>
</tr>
<tr>
<td>Fire and Life Safety Upgrades</td>
<td>852,000</td>
</tr>
<tr>
<td>Roof Upgrades</td>
<td>110,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$78,025,000</strong></td>
</tr>
</tbody>
</table>

Justification

The project will address the failing domestic water piping system that has flooded the building three times in the past 4 years, creating millions of dollars in damage to the building and personal property. The damage has displaced tenants for months at a time and interfered with their ability to carry out their missions. The threat of another major flood is imminent, and there is a serious risk that additional flooding could potentially damage the historic rotunda, which would be enormously costly to repair. If left unaddressed, the building could potentially become uninhabitable and would need to be considered for disposal.

Due to the major disruption caused by the repair of the plumbing system, GSA determined that this project will provide the opportunity to upgrade the deficient HVAC systems. The HVAC systems in the building are approximately 20 years past their useful lives and are vulnerable to a large-scale failure in both the air handling units and the branch piping leading to the perimeter induction units. There have been longstanding temperature and indoor air quality issues caused by a system that was not designed for office space. In addition to affecting occupant comfort, poor dehumidification has caused the paint, plaster, and wall materials to peel at numerous locations in the building, including in the historic rotunda and in areas with lead-based paint. The two pipe induction system is highly inefficient, forcing entire building switchover between heating and cooling to address unseasonal temperatures (e.g., cooling in the winter and heating in the summer). Simultaneously completing these projects will save the Government approximately $13 million in duplicative costs, while minimizing disruption to building tenants.
Prospectus - Alteration
U.S. Custom House
Philadelphia, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Prior Prospectus-Level Projects in Building (past 10 years)

<table>
<thead>
<tr>
<th>Prospectus</th>
<th>Description</th>
<th>FY</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PL 111-5 (ARRA)</td>
<td>Window Replacement, Green Roof Installation, Exterior Masonry Repairs</td>
<td>FY 09</td>
<td>$30,490,000</td>
</tr>
</tbody>
</table>

Alternatives Considered (30-year, present value cost analysis)
There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation
ALTERATION
GSA

PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for modernization, including replacing building systems, at the Austin Finance Center located at 1619 Woodward Street in Austin, Texas of a reduction in design cost of $465,000, an additional estimated construction cost of $7,131,000 and a reduction in management and inspection cost of $725,000 for a total additional cost of $5,941,000 and total estimated project cost of $28,722,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. PTX-1618-AU17.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
### FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to modernize the existing Austin Finance Center (AFC), located at 1619 Woodward Street in Austin, Texas. The project will replace building systems and improve energy efficiency.

This prospectus amends Prospectus No. PTX-1618-AU17. GSA is requesting approval of an additional $5,941,000 to account for cost escalation due to time and market conditions, and a tenant improvement component.

### FY 2019 Committee Approval Requested

(Construction) ................................................................. $5,941,000\(^1\)

### FY 2019 Appropriation Requested

(Design, Construction, and Management & Inspection) ..................... $28,722,000

### Major Work Items

Interior construction; exterior construction; electrical, heating, ventilation and air conditioning (HVAC), mechanical, life safety/emergency, and plumbing replacement; and sitework

### Project Budget

- Design ................................................................. $2,070,000
- Estimated Construction Cost (ECC) ...................................... 24,994,000
- Management & Inspection (M&I) ......................................... 1,658,000
- Estimated Total Project Cost (ETPC)* ..................................... $28,722,000

* Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

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\(^1\) The House and Senate committees approved Design, M&I and Construction of $22,781,000 in Prospectus No. PTX-1618-AU17. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved $1,190,000 from Design and M&I to Construction.
AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Prospectus Number: PTX-1618-AU19
Congressional District: 25

Schedule

<table>
<thead>
<tr>
<th></th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design and Construction</td>
<td>FY 2019</td>
<td>FY 2022</td>
</tr>
</tbody>
</table>

Building

AFC was constructed in 1969 as an office building and was purchased by the United States in 1985. It is located on a 40-acre Federal campus in southeast Austin, along with the federally owned Department of the Treasury – Internal Revenue Service (IRS) Service Center, the Department of Veterans Affairs Automation Center and a leased IRS office/warehouse. It consists of a single, freestanding, one-story building of approximately 85,000 gross square feet. The building is home to the Department of the Treasury – Bureau of the Fiscal Service.

Tenant Agencies

Treasury Department – Bureau of the Fiscal Service

Proposed Project

The project includes HVAC replacement, separation of storm and sanitary lines, domestic water line replacement, main electrical switchboard replacement, window replacement, and power distribution system replacement.

Major Work Items

<table>
<thead>
<tr>
<th>Work Description</th>
<th>Cost</th>
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<tbody>
<tr>
<td>Interior Construction</td>
<td>$7,511,000</td>
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<tr>
<td>Exterior Construction</td>
<td>5,132,000</td>
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<td>Electrical Replacement</td>
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<td>HVAC/Mechanical Replacement</td>
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<td>Plumbing Replacement</td>
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<tr>
<td>Life Safety/Emergency System Replacement</td>
<td>842,000</td>
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<tr>
<td>Sitework</td>
<td>520,000</td>
</tr>
<tr>
<td><strong>Total ECC</strong></td>
<td><strong>$24,994,000</strong></td>
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</table>

Justification

Historically, the building has been used by Treasury as one of four regional check printing and distribution facilities for Federal obligations to vendors and the general public. Treasury’s transition to electronic transfer of funds resulted in the removal of all check printing and distribution functions, and has significantly altered the type and amount of space the agency requires.
The 48-year-old building has undergone various renovation projects over the years, but never a complete modernization, including upgrades. The space, converted from light industrial to office use, does not include the appropriate lighting, HVAC, ceilings, or finishes for office space. Window replacement will provide energy efficiency and costs savings. The building systems are outdated and have reached the end of their useful lives. The old main switchboard needs replacement to comply with the National Electric Code. The control system and related electronic components need frequent repairs, and parts are no longer available. The original power distribution system is inadequate for the electrical loads that are now required. The HVAC equipment has reached or surpassed its life expectancy. The storm water and sanitary lines do not meet current code and need to be separated. Runoff from heavy rains often floods the loading dock’s storm drain, causing flooding in the building when floor drains back up. All the domestic water lines are old and corroded and need to be replaced.

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals

<table>
<thead>
<tr>
<th>Committee</th>
<th>Date</th>
<th>Amount</th>
<th>Purpose</th>
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<td>Senate EPW</td>
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<td>Design = $2,535,000; ECC=$17,863,000; M&amp;I=$2,383,000</td>
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Approvals to Date | $22,781,000

Prior Prospectus-Level Projects in Building (past 10 years):
None
GSA

AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Prospectus Number: PTX-1618-AU19
Congressional District: 25

Alternatives Considered (30-year, present value cost analysis)

Alteration: ................................................................. $43,770,000
Lease: ......................................................................... $98,737,000
New Construction: .......................................................... $46,636,000

The 30-year, present value cost of alteration is $54,967,000 less than the cost of leasing, with an equivalent annual cost advantage of $2,732,000.

Recommendation
ALTERATION
AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Prospectus Number: PTX-1618-AU19
Congressional District: 25

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended:  
Commissioner, Public Buildings Service

Approved:  
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for Phase II of a two-phase project to reconfigure and expand the existing land port of entry in Calexico, California at an additional design cost of $970,000, an additional estimated construction cost of $14,847,000 and a reduction of management and inspection cost of $1,625,000 for a total additional cost of $14,192,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on July 16, 2014 of Prospectus No. PCA-BSC-CA15.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

FY 2019 Project Summary
The General Services Administration (GSA) requests additional approval and funding for construction of Phase II of a two-phase project to reconfigure and expand the existing land port of entry (LPOE) in downtown Calexico, CA. The project includes new pedestrian processing and privately owned vehicle (POV) inspection facilities, a new head house to provide supervision and services to the non-commercial vehicle inspection area, new administration offices, and a parking structure. The expanded facilities will occupy both the existing inspection compound and the site of the former commercial inspection facility, decommissioned in 1996 when commercial traffic was redirected to the newly completed LPOE six miles east of downtown Calexico.

This prospectus amends Prospectus No. PCA-BSC-CA15. GSA is requesting approval of an additional $27,687,000 to account for cost escalations and design refresh.

FY 2019 Committee Approval Requested
(Additional Design and Construction) .......................................................... $14,192,000

FY 2019 Appropriation Requested
(Additional Design, Construction, Management & Inspection) .............. $275,900,000

Overview of Project
The existing LPOE is a pedestrian and vehicle inspection facility constructed in 1974. It comprises a main building and a decommissioned commercial inspection building. The project includes the creation of new pedestrian and POV inspection facilities, and expansion of the port onto the site of the former commercial inspection facility. The commercial inspection operation was moved to Calexico East in 1996. POV inspection facilities will include expanded northbound inspection lanes, new southbound inspection lanes, and a parking structure. There will be new administration space, a new head house

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1 The amount approved for Management & Inspection in Prospectus No. PCA-BSC-CA11 by the House and Senate committees includes $1,625,000 more than the current estimate. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved $1,625,000 from Management & Inspection to Construction.

2 GSA works closely with Department of Homeland Security program offices responsible for developing and implementing security technology at LPOEs. This prospectus contains funding for infrastructure requirements known at the time of prospectus development. Additional funding by a reimbursable work authorization may be required to provide for as yet unidentified security technology elements to be implemented at this port.
and design guide-mandated secondary inspection stations serving both northbound and southbound traffic. The project will be constructed in two phases.

The first phase included a head house, 10 of the project's northbound POV inspection lanes, all southbound POV inspection lanes with temporary asphalt paving, and a bridge across the New River for southbound POV traffic.

The second phase will include the balance of the project, including the remaining northbound POV lanes, southbound POV inspection islands, booths, canopies and concrete paving, an administration building, an employee parking structure, a pedestrian processing building with expanded northbound pedestrian inspection stations, and a photovoltaic generation facility.

Site Information

Government-Owned .............................................................................................................. 13.5 acres
Acquired as part of Phase I ................................................................................................. 4.3 acres

Building Area

Building (including canopies and indoor parking) ...................................................... 333,719 GSF
Building (excluding canopies and indoor parking) ..................................................... 162,015 GSF
Outside parking spaces .................................................................................................... 79
Structured parking spaces ............................................................................................... 264

3 Gross square feet (GSF) in this Amended Prospectus was developed from the final construction drawings. It reflects a 2.63 percent increase in total GSF from that listed in Prospectus No. PCA-BSC-CA19 (where the square footage was developed from the concept drawings). The parking structure is not included in GSF.
Project Budget

Site Acquisition
Site Acquisition (FY 2007) ................................................................. $2,000,000
Additional Site Acquisition (FY 2010) ........................................... 3,000,000
Total Site Acquisition ...................................................................... $5,000,000

Design
Design (FY 2007) ............................................................................. $12,350,000
Additional Design (FY 2010) ............................................................ 6,437,000
Additional Design ............................................................................ 970,000
Total Design .................................................................................... $19,757,000

Estimated Construction Cost (ECC)
Phase I (2015) .................................................................................. $90,838,000
Phase II .................................................................................................. 255,660,000
Total ECC ................................................................................................. $346,498,000

Site Development Costs ................................................................. $146,550,000
Building Costs (includes inspection canopies) ($599/GSF) ............ $199,948,000

Management & Inspection (M&I)
Phase I (2015) .................................................................................. $7,224,000
Phase II .................................................................................................. $19,270,000
Total M&I .............................................................................................. $26,494,000

Estimated Total Project Cost (ETPC)* .................................................. $397,749,000

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Location

The site is located at 200 East 1st Street, Calexico, CA.

ECC is broken into two parts—Site Development Costs and Building Costs.
AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

**Schedule**

<table>
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<td>Design Refresh</td>
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<tr>
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<tr>
<td>Phase I</td>
<td>FY 2015</td>
<td>FY 2018</td>
</tr>
<tr>
<td>Phase II</td>
<td>FY 2019</td>
<td>FY 2023</td>
</tr>
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</table>

**Tenant Agencies**

Department of Homeland Security – Customs and Border Protection, and Immigration and Customs Enforcement; GSA

**Justification**

On an average day, 12,000 POVs and approximately 11,000 pedestrians enter the U.S. through this LPOE. The existing facilities are undersized relative to existing traffic loads and obsolete in terms of inspection officer safety and border security. The space required to accommodate modern inspection technologies is not available in the existing facility. When completed, the project will provide the port operation with adequate operational space, reduced traffic congestion, and a safe environment for port employees and visitors.

**Summary of Energy Compliance**

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.
Prior Appropriations

<table>
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<th>Amount</th>
<th>Purpose</th>
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<td>111-117</td>
<td>2010</td>
<td>$9,437,000</td>
<td>Additional site acquisition &amp; design</td>
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<tr>
<td>113-235</td>
<td>2015</td>
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<td>Phase I Construction</td>
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Appropriations to Date $121,849,000

Prior Committee Approvals

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<th>Date</th>
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<td>House T&amp;I</td>
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<td>Design = $12,350,000; Site acquisition = $2,000,000</td>
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<td>Senate EPW</td>
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<td>Senate EPW</td>
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<td>Additional site acquisition &amp; design</td>
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<tr>
<td>House T&amp;I</td>
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<td>Senate EPW</td>
<td>11/30/2010</td>
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<td>Construction = $246,344,000; M&amp;I = $28,119,000</td>
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<td>House T&amp;I</td>
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<td>Senate EPW</td>
<td>04/28/2015</td>
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<td>Additional Construction of $85,307,000</td>
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Approvals to Date $383,557,000

Alternatives Considered

GSA has jurisdiction, custody, and control over and maintains the existing facilities at this LPOE. No alternative other than Federal construction was considered.

Recommendation

CONSTRUCTION
AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

Certification of Need
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for construction of a new laboratory facility of 68,000 gross square feet to provide a long-term housing solution for the Department of Health and Human Services-Food and Drug Administration at the Denver Federal Center at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of $3,570,000, an estimated construction cost of $23,335,000, a management and inspection cost of $2,414,000 for a total estimated project cost of $29,319,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.
FY 2019 Project Summary

The General Services Administration (GSA) requests approval for construction of a new laboratory facility of approximately 68,000 gross square feet (GSF) to provide a long-term housing solution for the Department of Health and Human Services – Food and Drug Administration (FDA) at the Denver Federal Center (DFC), at West 6th Avenue and Kipling Street in Lakewood, CO. This project will allow FDA to occupy a laboratory building that meets modern standards for functional laboratory space that will accommodate a floor plan with the most optimal layout in support of its mission on a secure campus.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection) ........................................ $29,319,000

Overview of Project

GSA proposes the design and construction of a new Federal laboratory building on a 4-acre Government-owned site, just south of existing Building 20 at the DFC. This project will provide FDA a state-of-the-art laboratory facility with ancillary office space to support laboratory functions. The facility will be built to meet biosafety level 2 specifications. Laboratory layout will be modular and designed to create higher efficiency of workflow while maintaining agency chain-of-custody regulations. The office space will primarily consist of open workstations and a collaborative environment.

Site Area

Government-Owned .......................................................................................... 4 acres

Project Budget

Design .................................................................................................................. $3,570,000
Estimated Construction Cost (ECC) .................................................................. 23,335,000
Management & Inspection (M&I) ................................................................. 2,414,000
Estimated Total Project Cost (ETPC)* ........................................................... $29,319,000

*Tenant agency may fund an additional amount for alterations above the standard normally provided by GSA.
GSA

PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

Schedule
Design and Construction
Start FY 2019
End FY 2023

Tenant Agencies
Department of Health and Human Services – Food and Drug Administration

Justification
FDA is currently housed in laboratory and laboratory support space at the DFC in Building 20, a converted munitions plant building that also houses multiple Federal operations and offices. Building 20 is well past its useful life and experiencing major building system deficiencies. Due to current conditions, failing building systems are projected to cause a shutdown of its current space within 1 to 5 years.

The building uses excessive amounts of energy and struggles to maintain proper humidity and pressurization levels due to inadequacies in the heating, ventilation, and air conditioning system and building enclosure, which are critical components to prevent contamination within laboratories.

FDA processes evidence in court cases that must be tested and stored appropriately; some samples must be stored for up to 8 years. These samples are irreplaceable and failing infrastructure could place them at risk for contamination and spoilage. Costly laboratory equipment is at risk of being damaged due to severe roof leaks.

The current space is compartmentalized with hard wall offices and no capability of changing space to accommodate workflow or to facilitate collaboration. FDA has storage spaces and conference rooms that were built to accommodate program areas that no longer exist, and later built laboratory space around those areas. As its space has changed and evolved, the result is pockets of unused space sprinkled throughout the area. This situation has resulted in inefficient use of space that does not meet regulatory requirements to isolate laboratory space from office work areas.

This location is the regional regulatory arm of FDA and a critical part of its mission. Various departments include laboratories that analyze food, drugs, and cosmetics; a compliance department; investigators; and an administration team. For sections of the country west of the Mississippi River and east of Nevada, this facility is responsible for managing foodborne illness outbreaks. FDA uses this facility to analyze food samples to determine the source of the illness so the food can be immediately recalled to prevent further illness or death. This laboratory analyzes foods crossing State boundaries, as well as foods that are flown in from other countries to ensure it is safe for consumption.
PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

Summary of Energy Compliance
This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations
None

Prior Committee Approvals
None

Alternatives Considered (30-year, present value cost analysis)

New Construction ............................................................... $39,221,000
Lease .................................................................................. $49,540,000

The 30-year, present value cost of new construction is $10,319,000 less than the cost of lease, an equivalent annual cost advantage of $344,000.

Recommendation
CONSTRUCTION
Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the acquisition, through a purchase option under an existing lease, of the building located at 1200 New Jersey Avenue SE in Washington, D.C. composed of 1,900,000 gross square feet and indoor parking spaces currently occupied by the Department of Transportation at a building and site acquisition cost of $760,000,000, closing costs of $7,900,000 and total estimated project cost of $767,900,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.
Description
The General Services Administration (GSA) proposes to acquire, through a purchase option under an existing space lease, the building located at 1200 New Jersey Avenue SE, Washington, DC. The 1,900,000 gross square foot facility, currently leased by GSA, provides 1,350,000 rentable square feet (RSF) of space and 936 indoor parking spaces, and is occupied entirely by the Department of Transportation (DOT) and serves as its headquarters (HQ). The proposed purchase will reduce the Government’s rental payment to the private sector by approximately $49,400,000 annually.

FY 2019 Committee Approval and Appropriation Requested
(Building Acquisition) ........................................................................................................$767,900,000

Situated on 10 acres of land to the southwest of the U.S. Capitol building, along the south side of M Street SE, between New Jersey Avenue SE on the west and 4th Street SE on the east, the building has served as the DOT HQ since its construction in 2006. The building houses approximately 5,000 employees. The office space is contained in two towers, referred to as the West Building and the East Building, each containing nine stories above grade and two stories below grade.

The site was originally part of the 18th century Navy Yard. Part of the Navy Yard was excessed in the mid-20th century to GSA and became known as the Southeast Federal Center. GSA sold the parcel that is the subject of this prospectus to the developer specifically for the construction of the DOT HQ.

Project Budget
Building and Site Acquisition ......................................................................................... $760,000,000
Closing Costs .................................................................................................................... $7,900,000
Estimated Total Project Cost (ETPC) .............................................................................. $767,900,000

Schedule
Notice of Intent to Consider Purchase ........................................................................... 10/2018
Building Acquisition Notice of Intent to Exercise Purchase Option ........................... 10/2019
Purchase Option Expiration ......................................................................................... 10/2021

1 The actual purchase price and closing costs will be determined by negotiation in accordance with the terms of the existing purchase option under the lease.
Overview of Project

GSA leased the building on behalf of DOT following completion of construction in 2006. The current lease agreement expires on October 19, 2021. GSA has an option to negotiate the purchase of the building and site at the end of the current lease term, provided 24 months’ prior notice is given to lessor. A Notification of Intent to consider exercising the purchase option is required 36 months prior to the lease expiration. The estimated purchase price is based on a current fair market value appraisal of the property, escalated to the purchase date, multiplied by 95%.

Tenant Agencies

DOT

Justification

DOT is a cabinet-level agency with a long-term requirement for a HQ facility. Exercising the purchase option will provide for a permanent, owned housing solution for DOT’s mission execution, lowering the cost to the taxpayer. Upon purchase, GSA will work with DOT to improve the utilization of the space.

Alternatives Considered (30-year, present value cost analysis)

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<th>Option</th>
<th>Cost</th>
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<tr>
<td>New Construction</td>
<td>$1,444,009,181</td>
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</tbody>
</table>

The 30-year, present value cost of purchasing is $409,037,184 less than the cost of leasing, with an equivalent annual cost advantage of $20,332,893.

Recommendation

ACQUISITION
Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 207,000 rentable square feet of space for the Securities and Exchange Commission currently located at 200 Vesey Street in New York, New York at a proposed total annual cost of $14,332,680 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 230 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 207,000 rentable square feet (RSF) for the Securities and Exchange Commission (SEC), currently located at 200 Vesey Street in New York, NY. SEC has occupied space in the building since April 1, 2006, under a lease that expires on March 31, 2021.

The proposed lease will enable SEC to provide continued housing as well as more streamlined and efficient operations. It will improve space utilization, as the office and overall space utilization rates will be improved from 189 to 139 usable square feet (USF) and 316 to 230 USF per person, respectively.

Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Securities and Exchange Commission</th>
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<tbody>
<tr>
<td>Occupant:</td>
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<tr>
<td>Current Rentable Square Feet (RSF)</td>
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<tr>
<td>Estimated/Proposed Maximum RSF¹:</td>
<td>207,000 (Proposed RSF/USF = 1.35)</td>
</tr>
<tr>
<td>Expansion/Reduction RSF:</td>
<td></td>
</tr>
<tr>
<td>Current USF/Person:</td>
<td>316</td>
</tr>
<tr>
<td>Estimated/Proposed USF/Person:</td>
<td>230</td>
</tr>
<tr>
<td>Expiration Dates of Current Lease(s):</td>
<td>03/31/2021</td>
</tr>
<tr>
<td>Proposed Maximum Leasing Authority:</td>
<td>20 years</td>
</tr>
<tr>
<td>Delineated Area:</td>
<td></td>
</tr>
<tr>
<td>North: Chambers Street; East: East River;</td>
<td></td>
</tr>
<tr>
<td>South: Battery Park; West: Hudson River</td>
<td></td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>0</td>
</tr>
<tr>
<td>Scoring:</td>
<td>Operating</td>
</tr>
<tr>
<td>Current Total Annual Cost:</td>
<td>$15,344,613 (lease effective 4/1/2006)</td>
</tr>
<tr>
<td>Estimated Rental Rate²:</td>
<td>$69.24/RSF</td>
</tr>
<tr>
<td>Estimated Total Annual Cost³:</td>
<td>$14,332,680</td>
</tr>
</tbody>
</table>

¹ The RSF/USF at the current location is approximately 1.32; however, to maximize competition a RSF/USF ratio of 1.35 is used for the estimated proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2021 and may be escalated by 2 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for SEC, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The lease at 200 Vesey Street in New York, NY, comprises the New York Regional Office headquarters for SEC with jurisdiction in New York and New Jersey. The mission of SEC is to protect investors; maintain fair, orderly and efficient markets; and facilitate capital formation. SEC entered into the current lease using independent leasing authority granted by Congress. GSA proposes to use its leasing authority to secure new office space in New York City following the expiration of the current lease.

Justification

The New York Regional Office is unique to the SEC organization because it encompasses divisions typically represented in regional offices, as well as HQ-based divisions with staff who are assigned to the New York Regional Office. The current lease at 200 Vesey Street expires March 31, 2021. SEC requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
GSA

PROSPECTUS – LEASE
SECURITIES AND EXCHANGE COMMISSION
NEW YORK, NY

Prospectus Number: PNY-05-NY19
Congressional District: 7,10

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 10, 2018

Recommended:  
Commissioner, Public Buildings Service

Approved:  
Administrator, General Services Administration
### Housing Plan

Securities and Exchange Commission

PNY-05-NY19

New York, NY

#### Leased Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>CURRENT Personnel</th>
<th>CURRENT Unable Square Feet (USF)</th>
<th>ESTIMATED/PROPOSED Personnel</th>
<th>ESTIMATED/PROPOSED Unable Square Feet (USF)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
<td>Office</td>
<td>Storage</td>
</tr>
<tr>
<td>200 Vesey Street, NY, NY</td>
<td>650</td>
<td>650</td>
<td>157,734</td>
<td>2,082</td>
</tr>
<tr>
<td>Total</td>
<td>650</td>
<td>650</td>
<td>157,734</td>
<td>2,082</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Office Utilization Rate (UR)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current</td>
</tr>
<tr>
<td>Rate</td>
<td>189</td>
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</table>

#### Overall UR

<table>
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<tr>
<th></th>
<th>Current</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>316</td>
<td>230</td>
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</tbody>
</table>

#### RAJ Factor

<table>
<thead>
<tr>
<th></th>
<th>Total USF</th>
<th>RSP/USF</th>
<th>Max RSP</th>
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</thead>
<tbody>
<tr>
<td>Current</td>
<td>205,495</td>
<td>1.32</td>
<td>270,431</td>
</tr>
<tr>
<td>Estimated/Prop</td>
<td>152,744</td>
<td>1.35</td>
<td>207,000</td>
</tr>
</tbody>
</table>

**NOTES:**

1. USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2. Calculations excludes Janitorial, Congregate and agencies with less than 10 people.
3. USF/Person = Usable for total USF divided by total personnel.
4. RAJ Factor = Max RSP divided by total USF.
5. RAJ excludes warehousing, which is part of Special Space.
6. Special spaces are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 224,000 rentable square feet of space, including 100 official parking spaces, for the Department of Health and Human Services-Food and Drug Administration currently located at 158-15 Liberty Avenue in Jamaica, New York at a proposed total annual cost of $6,944,000 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an office utilization rate of 109 square feet or less per person, except that, if the Administrator determines that the office utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
**PROSPECTUS—LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES—FOOD AND DRUG ADMINISTRATION**  
**JAMAICA, NY**

Prospectus Number: PNY-02-QU19  
Congressional District: 05

### Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 224,000 rentable square feet (RSF) for the Department of Health and Human Services—Food and Drug Administration (FDA). FDA is currently housed at 158-15 Liberty Avenue, Jamaica, NY, under a lease that expires on October 19, 2019.

The lease will provide continued housing for FDA and will maintain the office utilization rate at 109 usable square feet (USF) per person.

### Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupant:</td>
<td>Food and Drug Administration</td>
</tr>
<tr>
<td>Current Rentable Square Feet (RSF)</td>
<td>224,000 (Current RSF/USF = 1.28)</td>
</tr>
<tr>
<td>Estimated/Proposed Maximum RSF¹</td>
<td>224,000 (Proposed RSF/USF = 1.28)</td>
</tr>
<tr>
<td>Expansion/Reduction RSF:</td>
<td>None</td>
</tr>
<tr>
<td>Current Office USF/Person:</td>
<td>109</td>
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<tr>
<td>Estimated/Proposed Office USF/Person:</td>
<td>109</td>
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<tr>
<td>Expiration Dates of Current Lease(s):</td>
<td>10/19/2019</td>
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<tr>
<td>Proposed Maximum Leasing Authority:</td>
<td>10 years</td>
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<tr>
<td>Delineated Area:</td>
<td>North: Merrick Blvd.</td>
</tr>
<tr>
<td></td>
<td>West: Archer Ave.</td>
</tr>
<tr>
<td></td>
<td>East: Liberty Av.</td>
</tr>
<tr>
<td></td>
<td>South: Sutphin Blvd.</td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>100</td>
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<tr>
<td>Scoring:</td>
<td>Operating</td>
</tr>
<tr>
<td>Current Total Annual Cost:</td>
<td>$10,417,071.84 (lease effective 10/20/1999)</td>
</tr>
<tr>
<td>Estimated Rental Rate²:</td>
<td>$31.00 / RSF</td>
</tr>
<tr>
<td>Estimated Total Annual Cost¹:</td>
<td>$6,944,000</td>
</tr>
</tbody>
</table>

¹ A RSF/USF ratio of 1.28 is used for the estimated/proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2020 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including standard operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
Background

FDA's Northeast Region (NER) is responsible for carrying out the programs of FDA's Office of Regulatory Affairs (ORA) within a geographical area that includes seven states: Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Principal components of NER include the Regional Office, the New York District Office, and the Northeast Regional Laboratory (NERL). These are all currently located at 158-15 Liberty Avenue, Jamaica, NY (the Jamaica Complex). NER has regulatory responsibility over more than 18,000 private firms within its inspectional jurisdiction, with the largest number of firms being in the food and medical-device areas. NER's regulatory efforts promote and protect the health of the public by ensuring the safety, efficacy, and security of medical devices, as well as the safety of radiation-emitting products. FDA is also responsible for enforcing legislation such as the Federal Food, Drug and Cosmetic Act and the Food Safety Modernization Act.

FDA must have laboratory facilities that are fully functioning to protect the public and ensure effective global and domestic commerce. ORA operates high-throughput field laboratories, located strategically across the United States, to support FDA's mission to protect the public health and to create new knowledge in the field of regulatory science.

GSA will consider whether FDA's continued housing needs can be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, GSA will conduct a cost-benefit analysis to determine whether the Government can expect to recover the relocation and duplication costs of real and personal property needed for FDA to accomplish its mission.

Justification

Remaining at the Jamaica Complex will ensure that FDA makes the best use of its investment in the existing flexible, modern space and reliable building systems. The current location supports evolving regulatory science within a secure, safe, and healthy work environment for FDA employees. Extending the service life of the Jamaica Complex, and of the Bio Safety Level 3 (BSL-3) laboratory in particular, by renewing the existing lease will improve the economic performance of the significant investment of taxpayer dollars required to establish and maintain the facility.

NERL is one of FDA's largest field laboratories. This key laboratory responds to outbreaks involving food and microbiological pathogens. The laboratory's areas of expertise and specialization include:
analysis for microbial pathogens, pesticides, food additives, mycotoxins, colors, sanitation, decomposition, cosmetics, heavy metals in foods, and quality and purity in pharmaceuticals.

Specialized laboratory capabilities include:
- Mass Spectrometry Center;
- Microbiological Bio-Clean Room (State-of-the-Art Class 100);
- Marine Toxins Laboratory;
- Counterterrorism Toxic Chemical and Poison Analysis; and
- BSL-3 Laboratory (operated and maintained in accordance with 42 CFR 73.7).

Currently, the BSL-3 laboratory is undergoing a recertification to remain compliant with regulatory laws. The biosafety level designation establishes the biocontainment precautions required to isolate dangerous biological agents in the enclosed laboratory facility. BSL-3 facilities provide the appropriate containment environment for working with biological select agents and toxins that have the potential to pose a severe or potentially lethal disease after inhalation.

The current lease at 158-15 Liberty Avenue, Jamaica, NY, expires on October 19, 2019. FDA requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
GSA

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES –
FOOD AND DRUG ADMINISTRATION
JAMAICA, NY

Prospectus Number: PNY-02-QU19
Congressional District: 05

Certification of Need

The proposed project is the best solution to meet a validated Government need.

September 10, 2018

Submitted at Washington, DC, on

Recommended: __________________________

Commissioner, Public Buildings Service

Approved: ________________________

Administrator, General Services Administration
### Housing Plan
Food and Drug Administration

**Leased Locations**

<table>
<thead>
<tr>
<th>Location</th>
<th>Personnel</th>
<th>Unusable Square Feet (USF)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>Office</td>
<td>Storage</td>
</tr>
<tr>
<td>158-13 Liberty Avenue</td>
<td>265</td>
<td>39,724</td>
<td>2,738</td>
</tr>
<tr>
<td>Estimated/Proposed Lease</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>265</td>
<td>39,724</td>
<td>2,738</td>
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**Office Utilization Rate (UR)**

<table>
<thead>
<tr>
<th>UR Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>109</td>
<td>109</td>
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</table>

**Overall UR^1**

<table>
<thead>
<tr>
<th>R/U Factor</th>
<th>Total USF</th>
<th>R/U</th>
<th>Max R/U</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>175,000</td>
<td>1.20</td>
<td>224,000</td>
</tr>
<tr>
<td>Estimated/Proposed</td>
<td>175,000</td>
<td>1.20</td>
<td>224,000</td>
</tr>
</tbody>
</table>

### Notes:
1. UR = average amount of office space per person
2. Current UR excludes 8,739 sqf of office support space
3. Proposed UR excludes 8,739 sqf of office support space
4. UR = Office Space (in use) / Personnel
5. Office Support Space (USF) = USF/Person
6. Laboratory and Clinics: 128,564
7. Food Service Area: 1,534
8. Automated Data Processing: 644
9. Conference and Training: 4,696
10. Total: 175,000

Special Spaces:
- Laboratory and Clinics
- Food Service Area
- Automated Data Processing
- Conference and Training

Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RFP) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a lease of up to 84,937 rentable square feet of space, including 20 official parking spaces, for the Department of Labor currently located at 300 5th Avenue in Seattle, Washington at a proposed total annual cost of $3,958,914 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 250 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including any entity involved in the financing thereof, is a foreign person or foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Executive Summary

The General Services Administration (GSA) proposes a 3-year lease extension of approximately 84,937 rentable square feet (RSF) for the Department of Labor (DOL) currently located at 300 5th Avenue in Seattle, WA. The current lease expires October 31, 2020.

The proposed extension will enable DOL to provide continued housing for its personnel while a renovation project to allow for relocation and consolidation into federally owned space is completed.

Description

- Occupant: Department of Labor
- Current Rentable Square Feet (RSF): 84,937 (Current RSF/USF = 1.14)
- Estimated/Proposed Maximum RSF: 84,937 (Proposed RSF/USF = 1.14)
- Expansion/Reduction RSF: None
- Current USF/Person: 250
- Estimated/Proposed USF/Person: 250
- Expiration Dates of Current Lease(s): 10/31/2020
- Proposed Maximum Leasing Authority: 3 years
- Delineated Area: Seattle CBD
- Number of Official Parking Spaces: 20
- Scoring: Operating Lease
- Current Total Annual Cost: $3,242,895 (lease effective 11/01/2010)
- Estimated Rental Rate: $46.61 / RSF
- Estimated Total Annual Cost: $3,958,914

Background

DOL promotes and develops the welfare of the wage earners, job seekers, and retirees of the United States; improves working conditions; advances opportunities for profitable employment; and assures work-related benefits and rights. The Seattle DOL Regional Office houses district and field offices for 11 agencies.

1 Five other agencies are included in the existing lease at 300 5th Ave; their space needs will be negotiated and priced separately.
2 This estimate is for fiscal year 2021 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.
3 New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
GSA

PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number:  PWA-01-SE19
Congressional District:  7

Justification

The current lease at 300 5th Avenue expires October 31, 2020. DOL is scheduled to consolidate this office and relocate to the Federal Office Building (FOB) at 909 First Avenue in Seattle, by October 1, 2021. DOL requires continued housing at its current location until the new space is readied for occupancy. DOL will backfill vacant space made available from a recent Department of the Interior–National Park Service (NPS) consolidation project in the FOB, and a Department of Housing and Urban Development (HUD) relocation and consolidation from the FOB to the Jackson Federal Building (JFB) at 915 Second Avenue in Seattle. The consolidation project will reduce DOL’s all-in utilization rate from 250 to 166 per person with a reduction in usable square footage from 74,832 to 49,637.

The DOL move to the FOB is dependent on the completion of the NPS consolidation and HUD’s relocation to the JFB. The 3-year term is requested to cover any potential delays in the coordination of these projects.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
Certification of Need

The proposed project is the best solution to meet a validated Government need.

September 10, 2018
Submitted at Washington, DC, on

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
### Housing Plan
#### Department of Labor

**PWA-01-SE19**  
Seattle, WA

#### Leased Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>Current Personnel</th>
<th>Current Usable Square Feet (USF)</th>
<th>Proposed Personnel</th>
<th>Estimated/Proposed Usable Square Feet (USF)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
<td>Office</td>
<td>Total</td>
</tr>
<tr>
<td>30th Avenue</td>
<td>299</td>
<td>299</td>
<td>53,846</td>
<td>6,368</td>
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<tr>
<td>Total</td>
<td>299</td>
<td>299</td>
<td>53,846</td>
<td>6,368</td>
</tr>
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</table>

### Office Utilization Rate (UR)\

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate</td>
<td>144</td>
<td>144</td>
</tr>
</tbody>
</table>

- **UR**: Average amount of office space per person
- **Current UR** excludes 11,868 sf of office support space
- **Proposed UR** excludes 11,868 sf of office support space

### Special UR

<table>
<thead>
<tr>
<th>Special Space</th>
<th>USF</th>
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</thead>
<tbody>
<tr>
<td>Data Center</td>
<td>347</td>
</tr>
<tr>
<td>OCIO Operation Center</td>
<td>1,170</td>
</tr>
<tr>
<td>Conference</td>
<td>7,914</td>
</tr>
<tr>
<td>Break Room</td>
<td>1,360</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>934</td>
</tr>
<tr>
<td>Library</td>
<td>431</td>
</tr>
<tr>
<td>Interview Room</td>
<td>1,922</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>14,518</td>
</tr>
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</table>

### RUS Factor

<table>
<thead>
<tr>
<th></th>
<th>Total USF</th>
<th>RUS (USF)</th>
<th>Max RUS (USF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>74,832</td>
<td>1.14</td>
<td>64,937</td>
</tr>
<tr>
<td>Estimated/Proposed</td>
<td>74,832</td>
<td>1.14</td>
<td>64,937</td>
</tr>
</tbody>
</table>

### NOTES:

1. **USF**: means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2. **USF/Person** = Housing plus total USF divided by total personnel.
3. **RUS**: means the portion of Special Space.
4. **Storage** = Storage warehouse, which is part of Special Space.
5. **Special spaces**: means examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RUL) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 201,000 rentable square feet of space, including 35 official parking spaces, for the Court Services and Offender Supervision Agency for the District of Columbia, the Pretrial Services Agency for the District of Columbia, and the Public Defender Service for the District of Columbia currently located at 633 Indiana Avenue NW, 1025 F Street NW, and 601 Indiana Avenue NW in Washington, D.C. at a proposed total annual cost of $10,050,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 204 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
CONGRESSIONAL RECORD — HOUSE

GSA

PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC

Prospectus Number PDC-12-WA19

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of approximately 201,000 rentable square feet (RSF) for the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA), the Pretrial Services Agency for the District of Columbia (PSA), and the Public Defender Service for the District of Columbia (PDS) in Washington, DC. CSOSA, PSA, and PDS are currently housed in three leased locations, which include three GSA leases (located at 633 Indiana Avenue NW since 1999, and 1025 F Street NW since 2010), and two leases executed by CSOSA and PSA under a delegation from GSA (located at 601 Indiana Avenue NW).

The new lease will provide continued housing for CSOSA, PSA, and PDS and will improve their office utilization rate from 115 usable square feet (USF) per person to 93 USF and their overall space utilization rate from 212 USF to 204 USF per person, respectively.

Description

| Occupant: | CSOSA, PSA, and PDS |
| Current Rentable Square Feet (RSF): | 209,012 (Current RSF/USF = 1.20) |
| Estimated Maximum RSF¹: | 201,000 (Proposed RSF/USF = 1.20) |
| Reduction RSF: | 8,012 RSF |
| Current USF/Person: | 212 |
| Estimated USF/Person: | 204 |
| Expiration Dates of Current Lease(s): | 633 Indiana Ave. NW: 9/30/20 |
| | 1025 F St. NW: 11/7/20 |
| | 601 Indiana Ave. NW: 3/31/23 & 9/30/21 |
| Proposed Maximum Leasing Authority: | 20 years |
| Delineated Area: | Portions of Washington DC, CEA |
| Number of Official Parking Spaces: | 35 |
| Scoring: | Operating |
| Current Total Annual Cost: | $10,002,095 (leases effective 2010) |
| Estimated Rental Rate²: | $50.00 / RSF |

¹ The RSF/USF at the current location is approximately 1.18; however, to maximize competition a RSF/USF ratio of 1.20 is used for the estimated proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2019 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.
PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC

Prospectus Number PDC-12-WA19

Estimated Total Annual Cost$1: $10,050,000

Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for CSOSA, PSA, and PDS, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The National Capital Revitalization and Self-Government Improvement Act first established CSOSA in 1997 to provide community supervision for adult offenders on probation, parole, and supervised release in the District of Columbia. CSOSA’s mission is to enhance public safety, prevent crime, and reduce recidivism among those supervised and to support the fair administration of justice in close collaboration with the community.

PSA’s mission is to promote pretrial justice and enhance community safety. It assists judicial officers in both the Superior Court of the District of Columbia and the United States District Court for the District of Columbia by conducting a risk assessment for every arrested person who will be presented in court and formulating release or detention recommendations. PDS’ mission is to promote and provide quality court-appointed counsel in criminal and juvenile delinquency cases pending before the Superior Court of the District of Columbia.

Justification

Due to the nature of their functions, CSOSA, PSA, and PDS need to be housed within close proximity to the courts to address mission-based matters that may arise with the sentencing and/or supervision of their clients. CSOSA staff supervises approximately 14,000 offenders on any given day. The court often directs probationers to report promptly to CSOSA for a variety of reasons that may require immediate attention before judicial decisions can be made. For the defendants who are placed on conditional release pending trial, PSA provides supervision and treatment services that reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing. PDS staff makes frequent trips to the DC Superior Court daily in support of

$ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
PDS’s work, and the court relies heavily on the immediate availability of PDS staff to attend to the many matters that may arise.

These agencies have housed their offices in close proximity to the courts since their creation. They anticipate continued housing needs beyond the proposed term of this lease (20 years).

CSOSA’s goal is to reduce its real estate footprint through consolidation and vacating some of its existing locations. CSOSA will reduce its real estate footprint and operational costs through open space plans and office sharing, where feasible. While neither PDS nor PSA have published reduction goals, the proposed project reflects reductions from their current footprint.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 19, 2018

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
### Leased Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>CURRENT</th>
<th>UNITS</th>
<th>STORAGE</th>
<th>PERSONNEL</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
<td>Special</td>
<td>Office</td>
<td>Total</td>
</tr>
<tr>
<td>633 Indiana Avenue</td>
<td>597</td>
<td>597</td>
<td>85,878</td>
<td>3,540</td>
<td>36,088</td>
</tr>
<tr>
<td>1035 F Street SW</td>
<td>33</td>
<td>33</td>
<td>5,221</td>
<td>313</td>
<td>4,145</td>
</tr>
<tr>
<td>601 Indiana Avenue – delegated lease</td>
<td>189</td>
<td>189</td>
<td>30,119</td>
<td>2,185</td>
<td>4,543</td>
</tr>
<tr>
<td>Estimated/Proposed Lease</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>819</td>
<td>819</td>
<td>121,218</td>
<td>7,038</td>
<td>45,296</td>
</tr>
</tbody>
</table>

**Office Utilization Rate (UR)**

- **Current**: 113
- **Proposed**: 93

**Overall UR**

- **Current**: 212
- **Proposed**: 140

**CAF**

- **Current**: 173,352
- **Estimated/Proposed**: 167,049

### Notes:

1. Usable square feet (USF) includes office, storage, and special space.
2. Usable square feet (USF) excludes warehouse, which is part of special space.
3. Special space includes examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 92,210 rentable square feet of space for the Department of Homeland Security-Secret Service currently located in the Renaissance Plaza Building at 335 Adams Street in Brooklyn, New York at a proposed total annual cost of $5,593,459 for a lease term of up to 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 269 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.
Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 5 years at the current location for approximately 92,210 rentable square feet (RSF) for the Department of Homeland Security (DHS)—Secret Service (USSS). USSS is currently located in the Renaissance Plaza Building at 335 Adams Street in Brooklyn, New York. This location houses the Regional Headquarters Office for USSS, and USSS has occupied space in the building since October 2001. The lease expires on October 30, 2018.

Description

<table>
<thead>
<tr>
<th>Occupant:</th>
<th>Secret Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Rentable Square Feet (RSF)</td>
<td>92,210 (Current RSF/USF = 1.37)</td>
</tr>
<tr>
<td>Estimated Maximum RSF:</td>
<td>92,210 (Proposed RSF/USF = 1.37)</td>
</tr>
<tr>
<td>Expansion/Reduction RSF:</td>
<td>None</td>
</tr>
<tr>
<td>Current Usable Square Feet (USF)/Person:</td>
<td>269</td>
</tr>
<tr>
<td>Estimated USF/Person:</td>
<td>269</td>
</tr>
<tr>
<td>Proposed Maximum Lease Term:</td>
<td>5 Years</td>
</tr>
<tr>
<td>Expiration Dates of Current Leases:</td>
<td>10/30/2018</td>
</tr>
<tr>
<td>Delineated Area:</td>
<td>Bounded by Tillary Street to the north, Ashland Place to the east, Schermerhorn Street to the south, and Adams Street/Boerun Place to the west</td>
</tr>
<tr>
<td>Number of Official Parking Spaces:</td>
<td>0</td>
</tr>
<tr>
<td>Scoring:</td>
<td>Operating lease</td>
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<tr>
<td>Current Total Annual Cost:</td>
<td>$4,965,202 (Lease effective 10/05/2001; includes lease contract and electricity)</td>
</tr>
<tr>
<td>Estimated Rental Rate:¹</td>
<td>$60.66</td>
</tr>
<tr>
<td>Estimated Total Annual Cost:²</td>
<td>$5,593,459 (lease contract plus electricity)</td>
</tr>
</tbody>
</table>

¹This estimate is for fiscal year 2019 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

²The proposed annual rental is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.
PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
SECRET SERVICE
BROOKLYN, NY

Prospectus Number: PNY-04-BR18
Congressional District: 7

Background

The current lease became effective on October 5, 2001—shortly after the September 11, 2001, attacks destroyed USSS’ Regional Headquarters Office located at 7 World Trade Center—and expires on October 30, 2018. The lease was executed under an emergency blanket authorization. GSA pays approximately $4,726,378 in annual lease contract rent.

Justification

USSS has housed its Regional Headquarters in Brooklyn since 2001. Extension of the current lease will enable USSS to provide continued housing for its personnel and meet its mission requirements. A 5-year lease extension will provide GSA and USSS the opportunity for a coordinated USSS relocation plan. GSA will attempt to negotiate a flexible lease term of 5 years with termination rights after the third year to mitigate vacancy risk in the event a new location for USSS is ready for occupancy in less than 5 years.

It is anticipated that USSS will consolidate the larger USSS footprint throughout the New York City area into a long-term solution.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.
PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
SECRET SERVICE
BROOKLYN, NY

Prospectus Number: PNY-04-BR18
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on August 2, 2018.

Recommended: [Signature]
Commissioner, Public Buildings Service

Approved: [Signature]
Administrator, General Services Administration
### Housing Plan

**Department of Homeland Security United States Secret Service (DHS-USSS)**

**Brooklyn, NY**

<table>
<thead>
<tr>
<th>Leased Locations</th>
<th>CURRENT</th>
<th>ESTIMATED/PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Personnel</td>
<td>Usable Square Feet (USF)</td>
</tr>
<tr>
<td></td>
<td>Office</td>
<td>Total</td>
</tr>
<tr>
<td>335 Adams Street, Brooklyn, NY</td>
<td>250</td>
<td>250</td>
</tr>
</tbody>
</table>

**Office Utilization Rate (UR)**

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>UR</td>
<td>149</td>
<td>149</td>
</tr>
</tbody>
</table>

Current UR excludes 10,474 sq ft of office support space.

Proposed UR excludes 10,474 sq ft of office support space.

**Overall UR**

<table>
<thead>
<tr>
<th>Rate</th>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>UR</td>
<td>209</td>
<td>209</td>
</tr>
</tbody>
</table>

**R/U Factor**

<table>
<thead>
<tr>
<th>R/U Factor</th>
<th>Total USF</th>
<th>RSF/USF</th>
<th>Max RSF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>67,291</td>
<td>1.37</td>
<td>92,210</td>
</tr>
<tr>
<td>Estimated/Proposed</td>
<td>67,291</td>
<td>1.37</td>
<td>92,210</td>
</tr>
</tbody>
</table>

**Notes:**

1. **USF** means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2. Calculation excludes Judiciary, Congress, and agencies with fewer than 10 people.
3. **USF/Person** = housing plan total USF divided by total personnel.
4. **R/U Factor** = Max RSF divided by total USF.
There was no objection.

RENUMING THE STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT OF 2012

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6870) to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6870

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RENUMING.—

(a) SHORT TITLE.—Section 1 of the Stop Trading on Congressional Knowledge Act of 2012 is amended by striking “Stop Trading on Congressional Knowledge Act of 2012” and inserting “Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act”.

(b) CONFORMING AMENDMENT.—Section 103(1)(2) of the Ethics in Government Act of 1978 (5 U.S.C. App. 103(1)(2)) is amended by striking “Stop Trading on Congressional Knowledge Act of 2012” and inserting “STOCK Act”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPUTY SHERIFF ZACKARI SPURLOCK PARRISH, III, POST OFFICE BUILDING

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6591) to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the “Detective Heath McDonald Gumm Post Office”. A motion to reconsider was laid on the table.

DEPUTY SHERIFF HEATH MCDONALD GUMM POST OFFICE

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 5792) to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the “Deputy Sheriff Heath McDonald Gumm Post Office”, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 5792

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEPUTY SHERIFF HEATH MCDONALD GUMM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, shall be known and designated as the “Deputy Sheriff Heath McDonald Gumm Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Deputy Sheriff Heath McDonald Gumm Post Office”.

AMENDMENT OFFERED BY MR. COMER

Mr. COMER. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The SPEAKER pro tempore. The Clerk read as follows:

 Strike out all after the enacting clause and insert the following:

SECTION 1. DEPUTY SHERIFF HEATH MCDONALD GUMM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, shall be known and designated as the “Deputy Sheriff Heath McDonald Gumm Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Deputy Sheriff Heath McDonald Gumm Post Office”.

The amendment was agreed to.

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

The title of the bill was amended so as to read: “A bill to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ‘Detective Heath McDonald Gumm Post Office’.” A motion to reconsider was laid on the table.

MAJOR ANDREAS O’KEEFFE POST OFFICE BUILDING

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6780) to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the “Major Andreas O’Keeffe Post Office Building”, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MAJOR ANDREAS O’KEEFFE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, shall be known and designated as the “Major Andreas O’Keeffe Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Major Andreas O’Keeffe Post Office Building”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAPOLEON “NAP” FORD POST OFFICE BUILDING

Mr. COMER. Mr. Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the bill (H.R. 6591) to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the “Napoleon ‘Nap’ Ford Post Office Building”, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
MISSING CHILDREN'S ASSISTANCE ACT OF 2018

Mr. GUTHRIE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3554) to amend the Missing Children's Assistance Act, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky? There is no objection.

The text of the bill is as follows:

SEC. 2. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (34 U.S.C. 12193) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;"

(2) by striking paragraphs (4), (5), and (9); and

(3) by redesignating paragraphs (6), (7), (8), and (10) as paragraphs (4), (5), (6), and (7), respectively;

(4) in paragraph (4), as so redesignated, by inserting "including child sex trafficking and sextortion" after "exploitation";

(5) in paragraph (6), as so redesignated, by adding "and" at the end; and

(6) by amending paragraph (7), as so redesignated, to read as follows:

"(7) The Office of Juvenile Justice and Delinquency Prevention administers programs under this title, including programs that prevent and address offenses committed against vulnerable children and support missing children's organizations, including the National Center for Missing and Exploited Children that—"

"(A) serves as a nonprofit, national resource center and clearinghouse to provide assistance to families, child-serving professionals, and the general public;"

"(B) works with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, U.S. Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization and exploitation; and"

"(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands, and organizations that transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and the United States and around the world instantaneously.";

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (34 U.S.C. 11292) is amended—

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

"(1) the term 'missing child' means any individual less than 18 years of age whose whereabouts are unknown to such individual's parent;'"

(2) in paragraph (2), by striking "and" at the end;

(3) in paragraph (3), by striking the period at the end and inserting "; and"

(4) by adding at the end the following:

"(4) the term 'exploited child' means a child who includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child;'"

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (34 U.S.C. 11293) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking "telephone line" and inserting "hotline";

(B) in paragraph (6)(b)(2), by striking "(i)" and inserting "(i)";

(C) by striking subparagraph (A), (B), and (C), and inserting subparagraph (A), (B), and (C) respectively;

(D) in paragraph (6)(b)(i), by striking "telephone line" and inserting "hotline";

(E) by striking "(b)(1)(A)" and inserting "(b)(1)(A)";

(F) by inserting "and the number and types of reports to the tipline established under subsection (a) before the semicolon at the end;

(2) in subsection (b)(1)—

(A) in subparagraph (A), (i) by striking "telephone line" each place it appears and inserting "hotline"; and

(B) by striking "legal custodian and inserting "parent";

(C) in paragraph (C)—

(i) in clause (1)—

(I) by striking "restaurant" and inserting "food"; and

(II) by striking "and" at the end;

(ii) in clause (1), by adding "and" at the end;

(iii) by adding at the end the following:

"(ii) to respond to foster children missing and exploited children;"

(D) by redesigning subparagraphs (H) through (K) as subparagraphs (E) through (H) respectively;

(E) by redesigning subparagraphs (N) and (O) as subparagraphs (J) and (K) respectively;

(F) by redesigning subparagraph (Q) as subparagraph (R);

(G) by redesigning subparagraphs (S) through (V) as subparagraphs (L) through (O) respectively;

(H) by amending subparagraph (E), as so redesignated, to read as follows:

"(E) provide technical assistance and training to families, law enforcement agencies, State and local governments, nongovernmental organizations in child abduction and exploitation cases, including identification of skeletal remains and similar techniques to assist in the identification of unidentified deceased children;"

(J) by amending subparagraph (I), as so redesignated, to read as follows:

"(J) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;"

(K) by amending subparagraph (K), as so redesignated, to read as follows:

"(K) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and others on methods to reduce the existence and distribution of online images and videos of sexually exploited children—"

"(i) by operating a tipline—"

"(I) provide to individuals and electronic service providers an online reporting tool for reporting internet-related and other instances of child sexual exploitation in the areas of—"

"(aa) possession, manufacture, and distribution of child pornography;"

"(bb) online enticement of children for sexual acts;"

"(cc) child sex trafficking;"

"(dd) sex tourism involving children;"

"(ee) extra-familial child sexual molestation;"

"(ff) unsolicited obscene material sent to a child;"

"(gg) misleading domain names; and"

"(hh) misleading words or digital images on the Internet; and"

"(ii) make reports received through the tipline available to the appropriate law enforcement agency for its review and potential investigation;"

"(ii) operate a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support recovery of children from sexually exploitative situations; and"

"(iii) by utilizing emerging technologies to provide additional outreach and educational materials to parents and caregivers of children at risk for child sex trafficking;"

(L) by amending subparagraphs (L) and (M), as so redesignated, to read as follows:
"(L) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, and educational agencies, child-serving organizations, and the general public on—
"(i) the prevention of child abduction and sexual exploitation;
"(ii) Internet safety, including tips for social media and cyberbullying; and
"(iii) sexting and sextortion;

(3) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;"

(d) Grants.—Section 405 of the Missing Children’s Assistance Act (34 U.S.C. 11294) is amended—

(1) in subsection (a)—
(A) in paragraph (7), by striking "as defined in section 403(a)"; and
(B) in paragraph (8)—
(i) by striking "legal custodians" and inserting "parents"; and
(ii) by striking "custodians" and inserting "parents";

(2) in subsection (b)(1)(A), by striking "legal custodians" and inserting "parents";

(e) Reauthorization of the Missing Children’s Assistance Act (34 U.S.C. 11291 et seq.) is amended—

(1) by redesignating sections 407 and 408 as sections 408 and 409, respectively; and
(2) by inserting after section 406 (34 U.S.C. 11295) the following:

**SEC. 407. REPORTING.**

"(a) Required Reporting.—As a condition of receiving funds under section 404(b), the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

"(1) the number of children nationwide who are reported to be missing; "

"(2) the number of children nationwide who are reported to the grantee as victims of non-family abduction; and

"(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

"(4) the number of missing children recovered nationwide whose recovery was reported to the grantee;

"(b) Incidence of Attempted Child Abductions.—As a condition of receiving funds under section 404(b), the grant recipient shall—

"(1) track the incidence of attempted child abductions in order to identify links and patterns; "

"(2) provide such information to law enforcement agencies; and

"(3) make such information available to the general public, as appropriate.".

**SEC. 3. AUTHORIZATION OF APPROPRIATIONS; AUDIT REQUIREMENT.**

(a) Authorization of Appropriations.—Section 409(a) of the Missing Children’s Assistance Act, as so redesignated by section 2, is amended by striking “2018” and inserting “2023”.

(b) Audit Requirement.—Section 408(1) of the Missing Children’s Assistance Act, as so redesignated by section 2, is amended by striking “2018” and inserting “2023”.

**SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

(a) Effective Date.—Except as provided in subsection (b), the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) Application of Amendments.—The amendments made by section 2 shall apply with respect to fiscal years that begin after September 30, 2018.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**REAUTHORIZING THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT**

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the bill (H.R. 6014) to reauthorize the Family Violence Prevention and Services Act, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6014

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

**SECTION 1. FAMILY VIOLENCE PREVENTION AND SERVICES.**

Section 303 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended—

(1) in subsection (a)(1), by striking “2011 through 2015” and inserting “2019 through 2023”;

(2) in subsection (b), by striking “2011 through 2015” and inserting “2019 through 2023”; and

(3) in subsection (c), by striking “2011 through 2015” and inserting “2019 through 2023”.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**CONGRESSIONAL AWARD PROGRAM REAUTHORIZATION ACT OF 2018**

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the bill (H.R. 6994) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

H.R. 6994

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 “Juvenile Justice Reform Act of 2018”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Application of amendments.

**TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS**

Sec. 101. Purposes.
Sec. 102. Definitions.

**TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM**

Sec. 201. Concentration of federal efforts.

**TITLE III—INCENTIVE GRANTS FOR VICTIMS OF JUVENILE JUSTICE AND DELINQUENCY PROGRAM**

Sec. 301. Annual report.
Sec. 302. Allocation of funds.
Sec. 303. State plans.
Sec. 304. Repeal of juvenile delinquency prevention block grant program.

**TITLE IV—MISCELLANEOUS PROVISIONS**

Sec. 401. Authorization of appropriations; audit requirement.
SEC. 3. APPLICATION OF AMENDMENTS.

The amendments made by this Act shall not apply with respect to funds appropriated for any fiscal year that begins before the date of enactment of this Act.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

SEC. 101. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 1102) is amended—

(1) in paragraph (1), by inserting "tribal," after youth’s;

(2) in paragraph (2)—

(A) by inserting "‘tribal,’" after "State"; and

(B) by striking "and" at the end;

(3) by amending paragraph (3) to read as follows:

"(3) to assist State, tribal, and local government agencies in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and"; and

(4) by adding at the end the following:

"(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health, and educational services; education reform, and substance abuse treatment, family services, and services for children exposed to violence) that are trauma-informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system.";

SEC. 102. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11102) is amended—

(1) in paragraph (8)—

(A) in subparagraph (B)(ii), by adding "or" at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) in paragraph (18)—

(A) by inserting "for purposes of title II," before "the term"; and

(B) by adding at the end the following:

"that has a law enforcement function, as determined by the Secretary of the Interior in consultation with the Attorney General;"

(3) by amending paragraph (22) to read as follows:

"(22) the term ‘juvenile court’ means—

(A) the governing body of an Indian tribe, as defined by the Office of Management and Budget; and

(B) the governing body of a tribal court that has the authority to hear any citizen提起 juveniles who are not located in a metropolitan statistical area, as defined by the Office of Management and Budget; and

(4) by amending paragraph (25) to read as follows:

"(25) the term ‘at-risk youth’ means—

(A) a youth who is subject to the act, procedure, or program; and

(B) any youth who is subject to the act, procedure, or program; and

(5) by adding paragraph (26) to read as follows:

"(26) the term ‘striking’ means—

"(A) the act of a youth who is subject to the act, procedure, or program; and

"(B) the act of a youth who is subject to the act, procedure, or program; and

(6) in paragraph (28), by striking "and" at the end;

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

"(9) the term ‘core requirements’—

(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 222(a); and

(B) does not include the data collection requirements described in subparagraphs (A) through (K) of section 207(1); and

"(10) the term ‘assessment’ includes, at a minimum, an interview and review of available records and other pertinent information to determine—

(i) the needs and characteristics of the youth;

(ii) the youth’s risk of committing future offenses;

(iii) the youth’s likelihood of success in the case;

(iv) the youth’s potential for rehabilitation;

(v) the youth’s potential for preventive services;

(vi) the youth’s potential for protective services;

(vii) the youth’s potential for educational services;

(viii) the youth’s potential for vocational services;

(ix) the youth’s potential for medical services;

(x) the youth’s potential for mental health services;

(xi) the youth’s potential for substance abuse services;

(xii) the youth’s potential for social services;

(xiii) the youth’s potential for family services;

(xiv) the youth’s potential for religious services;

(xv) the youth’s potential for educational services for children exposed to violence;

(xvi) the youth’s potential for medical services for children exposed to violence;

(xvii) the youth’s potential for mental health services for children exposed to violence;

(xviii) the youth’s potential for substance abuse services for children exposed to violence;

(xix) the youth’s potential for social services for children exposed to violence;

(xx) the youth’s potential for family services for children exposed to violence;

(xxi) the youth’s potential for religious services for children exposed to violence;

(xxii) the youth’s potential for educational services for children exposed to violence;

(xxiii) the youth’s potential for medical services for children exposed to violence;

(xxiv) the youth’s potential for mental health services for children exposed to violence;

(xxv) the youth’s potential for substance abuse services for children exposed to violence;

(xxvi) the youth’s potential for social services for children exposed to violence;

(xxvii) the youth’s potential for family services for children exposed to violence;

(xxviii) the youth’s potential for religious services for children exposed to violence;

(xxix) the youth’s potential for educational services for children exposed to violence;

(xxxx) the youth’s potential for medical services for children exposed to violence;

(31) the term ‘chemical agent’ means a chemical substance, as defined by the Office of Management and Budget;

(32) the term ‘drug’ means—

(A) a drug that is subject to the Controlled Substances Act; and

(B) a drug that is subject to the Controlled Substances Act; and

"(33) the term ‘restraints’ has the meaning described in section 204 of the Juvenile Justice and Delinquency Prevention Act (42 U.S.C. 290ii); and

"(34) the term ‘evidence-based practice’ means a practice that—

(A) is demonstrated to be effective when implemented in a school; or

(B) has been scientifically tested and proven effective through randomized control studies or comparison group studies and with the ability to replicate and scale;

"(35) the term ‘promising practice’ means a practice that—

(A) is demonstrated to be effective based on positive outcomes relevant to juvenile justice from one or more objective, independent, and scientifically valid evaluations, as documented in writing to the Administrator; and

(B) will be evaluated through a well-designed and rigorous study, as described in paragraph (1), in the first sentence—

"(36) the term ‘demonstrated’ means—

(A) according to the standards established by the Office of Management and Budget;

(B) any youth who is subject to the act, procedure, or program; and

(37) the term ‘screening’ means a brief assessment;

"(38) the term ‘assessment’ includes, at a minimum, an interview and review of available records and other pertinent information to determine—

(A) the youth’s needs in need of further assessment; and

(B) the youth’s needs in need of further assessment; and

(39) for purposes of section 223(a), the term ‘contact’ means the points at which a youth and the juvenile justice system officially intersect, including interactions with a juvenile justice, juvenile court, or law enforcement official;

(40) the term ‘trauma-informed’ means—

(A) understanding the impact that exposure to violence and trauma have on a youth’s physical, psychological, and psychosocial development; and

(C) responding in ways that resist retraumatization; and

(41) the term ‘racial and ethnic disparity’ means minority youth populations are involved in a decision point in the juvenile justice system at disproportionately higher rates than non-minority youth at that decision point; and

(42) the term ‘status offender’ means a juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult; and

(43) the term ‘rural area’ means an area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget;

(44) the term ‘internal controls’ means a process implemented to provide reasonable assurance regarding the achievement of objectives in—

(A) effectiveness and efficiency of operations, such as grant management practices; and

(B) reliability of reporting for internal and external use; and

(C) compliance with applicable laws and regulations, as well as recommendations of the Office of Inspector General and the Government Accountability Office; and

(45) the term ‘tribal government’ means the governing body of an Indian Tribe.

TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11114) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking "a long-term plan, and implement" and inserting the following: "a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and re";

(ii) by striking "research, and improve" and inserting "research, and improve";

(iii) by striking "the juvenile justice system in the United States" and inserting "and research;" and

(B) in paragraph (2), by striking "Federal Register" and all that follows and inserting "Federal Register during the 30-day period ending on October 1 of each year;" and

(2) in subsection (b)—

(A) by striking paragraph (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(C) by inserting after paragraph (7), the following:

"(5) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, in consultation with Indian Tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention

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to collaborate with representatives of Indian Tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian Tribes;

(ii) in paragraph (3), as so redesignated, by inserting ‘‘and’’ at the end; and

(iii) by striking ‘‘monitoring’’ and inserting ‘‘monitoring’’ after ‘‘the State or unit’’.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11116) is amended—

(i) in subsection (a), by—

(A) in paragraph (1)—

(i) by inserting ‘‘The Assistant Secretary for Mental Health and Substance Use, the Secretary of the Interior, and the Secretary of Health and Human Services’’ after ‘‘the Secretary of Education’’;

(ii) by striking ‘‘Commissioner of Immigration and Naturalization’’ and inserting ‘‘Assistant Secretary for Immigration and Customs Enforcement’’; and

(B) in paragraph (2), by striking ‘‘United States’’ and inserting ‘‘Government’’;

and

(ii) in subsection (c)—

(A) in paragraph (1), by striking ‘‘paragraphs (1)(A), (13), and (14) of section 223(a)’’ of this title and inserting ‘‘the core requirements’’;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ‘‘, on an annual basis’’ after ‘‘a fiscal year’’; and

(ii) by striking subparagraph (B) and inserting the following:

‘‘(B) not later than 120 days after the completion of the meeting of the Council during any fiscal year, submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate a report that—

‘‘(i) contains the recommendations described in subparagraph (A);’’

‘‘(ii) includes a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Council to conduct operations in accordance with this section;’’

‘‘(iii) is published on the websites of the Office of Juvenile Justice and Delinquency Prevention, the Council, and the Department of Justice; and

‘‘(iv) is in addition to the annual report required under section 207.’’

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11117) is amended—

(i) in paragraph (1), by striking ‘‘fiscal year’’ and inserting ‘‘each fiscal year’’;

(ii) in paragraph (1)—

(A) in subparagraph (B), by striking ‘‘and gender’’ and inserting ‘‘gender, and ethnicity, as such term is defined by the Bureau of the Census’’;

(B) in subparagraph (E), by striking ‘‘and’’ at the end;

(ii) in paragraph (1) of section 223(a)(15) and inserting ‘‘section 223(a)(14)’’;

and

(iii) by striking ‘‘to review the adequacy of such systems’’; and

inserting ‘‘for monitoring and evaluating’’.

SEC. 204. ALLOCATION OF FUNDS.

(a) TECHNICAL ASSISTANCE.—Section 221(b)(1)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11131(b)(1)) is amended by striking ‘‘2 percent’’ and inserting ‘‘5 percent’’.

(b) OTHER ALLOCATIONS.—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11132) is amended—

(i) in subsection (a)—

(A) in paragraph (1), by striking ‘‘age eight years and over eight years of age’’ and inserting ‘‘age eight years and over eight years of age’’;

(B) by striking paragraphs (2) and (3) and inserting the following:

‘‘(2)(A) If the aggregate amount appropriated for a fiscal year to carry out the title is less than $75,000,000, then—

‘‘(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than $600,000; and

‘‘(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $75,000.’’;

(B) if the aggregate amount appropriated for a fiscal year to carry out this title is not less than $75,000,000, then—

‘‘(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than $600,000; and

‘‘(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $100,000.’’;

(c) CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM.—


(i) in the part heading by striking ‘‘FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS’’ and inserting ‘‘CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM’’; and

(ii) by inserting before section 220 the following:

‘‘SHORT TITLE

‘‘SEC. 220. This part may be cited as the ‘Charles Grassley Juvenile Justice and Delinquency Prevention Program’.’’

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11133) is amended—

(i) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ‘‘court’’ and shall describe the status of compliance with State plan requirements.’’ and inserting ‘‘shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents and how the delinquency prevention program will be designed and implemented to coordinate efforts to achieve and sustain compliance with the core requirements and certifying whether the State is in compliance with such requirements’’; and

(B) by striking ‘‘per centum of the minimum’’ and inserting ‘‘not more than 5 percent of the’’.

(ii) in subsection (b)(4), by striking ‘‘national Mariana Islands for that fiscal year shall be not less than $75,000,000, then—

‘‘(iii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $100,000.’’;

(c) CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM.—


(i) in the part heading by striking ‘‘FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS’’ and inserting ‘‘CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM’’; and

(ii) by inserting before section 220 the following:

‘‘SHORT TITLE

‘‘SEC. 220. This part may be cited as the ‘Charles Grassley Juvenile Justice and Delinquency Prevention Program’.’’

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11133) is amended—

(i) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ‘‘court’’ and shall describe the status of compliance with State plan requirements.’’ and inserting ‘‘shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents and how the delinquency prevention program will be designed and implemented to coordinate efforts to achieve and sustain compliance with the core requirements and certifying whether the State is in compliance with such requirements’’; and

(B) by striking ‘‘per centum of the minimum’’ and inserting ‘‘not more than 5 percent of the’’.

(ii) in subsection (b)(4), by striking ‘‘national Mariana Islands for that fiscal year shall be not less than $75,000,000, then—

‘‘(iii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than $100,000.’’;
education, child and adolescent substance abuse, special education, services for youth with disabilities;

(bb) in subclause (c), by striking "delinquency controlled potential delinquents" and inserting "delinquent youth or youth at risk of delinquency";

(cc) in subclause (VI), by striking "youth workers; or" and inserting "representatives of;"

(dd) in subclause (VII), by striking "and" at the end;

(ee) striking subclause (VIII) and inserting the following:

"(VIII) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health, substance abuse, exploitation, and trauma before entering the juvenile justice system; and"

"(X) for a State in which one or more Indian tribes is an Indian tribal representative (if such representative is available) or other individual with significant expertise in addressing the challenges of sexual abuse, exploitation, and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and"

"(vi) a plan to reduce the number of children housed in secure detention and correction facilities who are awaiting placement in residential treatment programs;"

"(v) to inform juveniles of the opportunity and process for sealing and expunging juvenile records; and"

"(xii) in subparagraph (T), as so redesignated, by inserting "status offenders, and youth who have come into contact with the juvenile justice system, including pregnant girls, known pregnant juveniles housed in secure detention and correction facilities, and juveniles housed in secure detention and correction facilities, or youth who have come into contact with the juvenile justice system; and"

"(vi) to assist juveniles in pursuing juvenile record sealing and expungements for both adjudications and arrests not followed by adjudications;"

"(ii) by redesigning subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively;"

"(ii)(A) in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if—"

"(xii)(A) in accordance with rules issued by the Administrator and in accordance with section 922(x)(2) of title 18, United States Code, or of a similar State law;

"(ii) a juvenile who is charged with or has committed an offense that would not be criminal if committed by an adult, excluding—"

"(i) to ensure youth have access to appropriate legal representation; and"

"(ii) to expand access to publicly supported, court-appointed legal counsel who are appointed to represent juveniles in adjudication proceedings, except that the State may not use more than 2 percent of the funds received under section 222 for these purposes;"

"(vii) in subparagraph (H), as so redesignated, by striking "State," each place the term appears and inserting "State, tribal;"

"(k) in subparagraph (M), as so redesignated—"

"(i) in clause (i)—"

"(aa) by striking "pre-adjudication" and before "post-adjudication;"

"(bb) by striking "restraints" and inserting "alternatives;"

"(cc) by inserting "specialized or problem-solving courts," after "(including;" and

"(ii) in clause (ii)—"

"(aa) by striking "by the provision by the Administrator;" and"

"(bb) by striking "to States;"

"(x) in subparagraph (N), as so redesignated—"

"(i) in clause (ii), by striking "and" at the end;"

"(ii) to assist juveniles in pursuing juvenile record sealing and expungements for both adjudications and arrests not followed by adjudications;"

"(iii) by inserting "or co-occurring disorder" after "mental health;"

"(iv) by inserting "court-involved or" before "incarcerated;"

"(v) by striking "suspected to be;"

"(vi) by striking "and discharge plans" and inserting "provision of treatment, and development of discharge plans;" and

"(v) by striking the period at the end and inserting a semicolon and

"(vi) in subparagraph (T), as so redesignated—"

"(i) by inserting "or co-occurring disorder;"

"(ii) to assist juveniles in pursuing juvenile record sealing and expungements for both juvenile justice reform; and"
‘‘(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or
‘‘(ii) the juvenile—
‘‘(I) is not charged with any offense; and
‘‘(II) is neither a citizen nor a resident of the State in which the court is sitting; or
‘‘(bb) is alleged to be dependent, neglected, or abused; and
‘‘(cc) is alleged to be, or to have been, a status offender—
‘‘(1) has been charged with a violation of a court order; or
‘‘(2) has been charged with an offense committed more than 180 days prior to the date on which the court issues an order; or
‘‘(1) the juvenile is charged with the commission of a status offense; or
‘‘(ii) the juvenile is charged with the commission of a status offense and the court determines there is good cause to be- hold the juvenile to be held in any jail or lockup for adults—
‘‘(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and
‘‘(II) if the court determines there is good cause for an extension or the juvenile expressly waives this limitation;’’);
(i) in paragraph (12)(A), by striking ‘‘contact’’ and inserting ‘‘sight or sound contact’’; and
(ii) in paragraph (13), by striking ‘‘contact’’ each place it appears and inserting ‘‘sight or sound contact’’;
(K) in paragraph (14)—
(i) by striking ‘‘adequate system’’ and inserting ‘‘effective system’’;
(ii) by inserting ‘‘lock-ups’’, after ‘‘monitoring jails’’;
(iii) by inserting ‘‘and after ‘‘detention facilities’’,
(iv) by striking ‘‘, and non-secure facilities’’;
(v) by striking ‘‘insure’’ and inserting ‘‘ensure’’;
(vi) by striking ‘‘requirements of paragraph (14)(11), (12), and (13) and inserting ‘‘core requirements’’; and
(vii) by striking ‘‘, in the opinion of the Administrator,‘‘;
(L) by redesigning paragraphs (22) and (27); and
(M) by redesigning paragraph (28) as paragraph (27);
“(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

“(B) develop and use, as described in subparagraph (A) to appropriate programs or services, to the extent practicable;”;

“(2) by amending subsection (c) to read as follows:

“(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

“(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

“(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

“(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such core requirement with respect to which the State is in noncompliance; or

“(ii) the Administrator determines that the State—

“(I) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

“(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

“(A) 50 percent of the unallocated funds shall be distributed under section 222 to States that have not failed to comply with the core requirements; and

“(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements;”;

“(3) in subsection (d)—

“(A) by striking “described in paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “described in the core requirements”;

“(B) by striking “the requirements under paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “the core requirements”;

“(4) in subsection (f)(2)—

“(A) by striking subparagraph (A); and

“(B) by redesignating subparagraphs (B) through subparagraphs (A) through (D), respectively; and

“(5) by adding at the end the following:

“(g) COMPLIANCE DETERMINATION.—

“(1) IN GENERAL.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this title in compliance or out of compliance with respect to each of the core requirements.

“(2) REPORTING.—The Administrator shall—

“(A) issue an annual public report—

“(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

“(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

“(B) when and as described in subparagraph (A) available on a publicly available website.

“(3) DETERMINATIONS REQUIRED.—The Administrator may not—

“(A) determine that a State is ‘not out of compliance’, or issue any other determination not described in paragraph (1), with respect to any core requirement; or

“(B) otherwise fail to make the compliance determinations required under paragraph (1).”.

SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.


SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11161) is amended—

“(1) in subsection (a)—

“(A) by striking “may” and inserting “shall”;

“(B) in subparagraph (A), by striking “plan and identity” and inserting “annually publish a plan to identify”;

“(C) by striking clause (ii) and inserting the following:

“(iii) successful efforts to prevent status offenses among youth (including probation, diversion, and out-of-court programs) and delinquent or criminal offenses from subsequent involvement with the juvenile justice and criminal justice systems;”;

“(D) by striking clause (vii) and inserting the following:

“(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement in the juvenile justice system, including an examination of the effects of secure detention in a correctional facility;”;

“(E) by redesignating clauses (ix), (x), and (xi) as clauses (xvi), (xvii), and (xviii), respectively; and

“(F) by inserting after clause (vii) the following:

“(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

“(x) methods to improve the recruitment, selection, training, and retention of professional personnel who are focused on the prevention, identification, and treatment of delinquency;

“(xi) methods to improve the identification and response to victims of domestic child sex trafficking within the juvenile justice system;

“(xii) identifying positive outcome measures, such as attainment of employment and educational degrees, that States and units of local government should use to evaluate the success of programs aimed at reducing recidivism of youth who have come in contact with the juvenile justice system or criminal justice system;

“(xiii) evaluating the impact and outcomes of the prosecution and sentencing of juveniles as adults;

“(xiv) successful and cost-effective efforts by States and units of local government to reduce recidivism through policies that provide for consideration of appropriate alternative sanctions to incarceration of youth facing nonviolent charges, while ensuring that public safety is preserved;”;

“(B) in paragraph (2)—

“(A) by striking “may” and inserting “shall”;

“(B) in subparagraph (A), by striking “date of enactment of this subparagraph” and inserting “date of enactment of the Juvenile Justice and Delinquency Prevention Act of 2018”;

“(C) by striking “may” and inserting “shall”; and

“(D) by adding at the end the following:

“(II) a description of the best practices in discharge planning; and

“(I) an assessment of living arrangements for juveniles who, upon release from confinement, are a State correctional facility, cannot return to the residence they occupied prior to such confinement.”;

“(2) in subsection (b), in the matter preceding paragraph (1), by striking “may” and inserting “shall”; and

“(3) by adding at the end the following:

“(I) NATIONAL RECIDIVISM MEASURE.—The Administrator, in accordance with applicable confidentiality requirements and in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

“(i) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;

“(II) establish a common national juvenile recidivism measurement system; and

“(III) make cumulative juvenile recidivism data that is collected from States available to the public.”.

SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11162) is amended—

“(1) in subsection (a)—

“(A) in the matter preceding paragraph (1), by striking “may”;

“(B) in paragraph (1)—

“(i) by inserting “shall” before “develop and carry out projects”; and

“(ii) by striking “and” after the semicolon;

“(C) in paragraph (4)—

“(i) by inserting “may” before “make grants to and contracts with”; and

“(ii) by striking the period at the end and inserting “;”;

“(D) by adding at the end the following:

“(III) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this Act.”;

“(2) in subsection (b)—

“(A) in the matter preceding paragraph (1), by striking “may”;

“(B) in paragraph (1)—

“(i) by inserting “shall” before “develop and implement projects”; and

“(ii) by inserting “and” after the semicolon;

“(C) in paragraph (2)—

“(i) by inserting “may” before “make grants to and contracts with”;

“(ii) by striking the period at the end; and

“(D) by adding at the end the following:

“(III) shall provide technical assistance to States and units of local government on achieving compliance with the amendments to the core requirements and State Plans made by the Juvenile Justice Reform Act of 2018, including training and technical assistance to make juvenile justice reform projects intended to develop and replicate best practices for achieving sight
and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

(4) the provision of technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center to improve the research, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, foster care, child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.

(iii) shall provide such assistance to States as the Attorney General deems necessary to provide for the development, implementation, and evaluation of effective collaborative programs and strategies for the prevention and treatment of status offenders, including programs that provide for the treatment of pregnant teens and teen parents; and

(iv) shall provide such training to States as the Attorney General deems necessary to provide for the development, implementation, and evaluation of effective collaborative programs and strategies for the prevention and treatment of status offenders, including programs that provide for the treatment of pregnant teens and teen parents; and

(v) shall provide technical assistance to States relating to existing options for school food authorities in the States to apply for reimbursement for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) for juveniles who are incarcerated and would, if not incarcerated, be eligible for free or reduced price lunches under that Act.

SECTION 209. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11182) is amended—

(1) in subsection (d), by striking—

(A) by inserting “prosecutors,” after “public defenders,”; and

(B) by inserting “status offenders and” after “needs of”; and

(2) by adding at the end the following:

“(d) Best Practices Regarding Local Representation of Children.—In consultation with experts in the field of juvenile defense, the Attorney General shall:

(1) disseminate best practices for the treatment of status offenders with a focus on reduced recidivism and improved long-term outcomes, and limited usage of valid court orders to place status offenders in secure detention; and

(2) identify the best practices that may include sharing standards of practice developed by recognized entities in the profession, for attorneys representing children; and

(3) in subsection (e), by inserting “(1)” before “The Administrator”;

(B) by striking “,” after appropriate consultation with States and units of local government;

(C) by inserting “guidance,” after “regulations,”; and

(D) by adding at the end the following: “In developing guidance and procedures, the Administrator shall consult with representatives of States and units of local government, including those individuals responsible for administration of this Act and compliance with the core requirements.

(2) The Administrator shall ensure that—

(A) reporting, compliance reporting, State plan requirements, and other similar documentation as may be required from States is requested in a manner that respects confidentiality, encourages efficiency and reduces the duplication of reporting efforts; and

(B) States meeting all the core requirements are encouraged to experiment with offering innovative, data-driven programs designed to further improve the juvenile justice system;

and

(3) in subsection (e), by striking “requirements described in paragraphs (11), (12), and (13) of section 223(a)” and inserting “core requirements.”

TITLE III—INCENTIVE GRANTS FOR PRISON REDUCTION THROUGH OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND EDUCATION

SECTION 301. SHORT TITLE.

Section 501 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11181) is amended—

(1) in subsection (d), by striking “Youth Promise” before “Grants”; and

(2) by striking “2002” and inserting “2018”.

SECTION 302. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281) is amended to read as follows:

“SEC. 502. DEFINITIONS.

“In this title—

(1) the term ‘at-risk’ has the meaning given that term in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6742); and

(2) the term ‘eligible entity’ means—

(A) a unit of local government that is in collaboration with organizations serving juveniles and their families, and

(B) a nonprofit organization in partnership with a unit of local government described in paragraph (A); and

(3) the term ‘delinquency prevention program’ means a delinquency prevention program that is evidence-based or promising and that may include—

(A) alcohol and substance abuse prevention and treatment services;

(B) tutoring and remedial education, especially in reading and mathematics;

(C) child and adolescent health and mental health services;

(D) recreation services;

(E) leadership and youth development activities;

and that may include—

(F) the teaching that individuals are and should be held accountable for their actions;

(G) assistance in the development of job training skills;

(H) youth mentoring programs;

(I) after-school programs;

(J) coordination of a continuum of services that may include—

(U) early childhood development services;

(V) voluntary home visiting programs;

(W) nurse-family partnership programs;

(X) parenting skills training;

(Y) child abuse prevention programs;

(Z) family stabilization programs;

(aa) child welfare services;

(bb) family violence intervention programs;

(cc) adoption assistance programs;

(dd) emergency, transitional and permanent housing assistance;

(ee) job placement and retention training;

(ff) summer jobs programs;

(gg) alternative school resources for youth who have dropped out of school or demonstrated chronic truancy;

(hh) conflict resolution skill training;

(ii) restorative justice programs;

(jj) mentoring programs;

(kk) targeted gang prevention, intervention and exit services;

(ll) training and education programs for pregnant teens and teen parents; and

(mm) pre-release, post-release, and re-entry services to assist detained and incarcerated youth with transitioning back into and reentering the community; and

(nn) assistance in the development, implementation, and evaluation of evidence-based or promising prevention programs;

(2) the term ‘local policy board’, when used with respect to an eligible entity, means a policy board that the eligible entity will engage in the development of the eligible entity’s plan described in section 504(e)(5), and that includes—

(A) not fewer than 15 and not more than 21 members; and

(B) a balanced representation of—

(i) public agencies and private nonprofit organizations serving juveniles and their families; and

(ii) business and industry;

(iii) at least one representative of the faith community, one adjudicated youth, and one parent of an adjudicated youth; and

(iv) in the case of an eligible entity described in paragraph (1)(B), a representative of a nonprofit organization of the eligible entity;

(3) the term ‘mentoring’ means matching 1 adult with 1 or more youth for the purpose of providing guidance, support, and encouragement through regularly scheduled meetings for not less than 9 months;

(4) the term ‘State advisory group’ means the advisory group appointed by the chief executive officer of a State under a plan described in section 223(a); and

(5) the term ‘State entity’ means the State agency designated under section 223(a)(1) or the entity receiving funds under section 223(d).”.

CONGRESSIONAL RECORD — HOUSE
SEC. 203. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.

Section 503 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11292) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281 et seq.) is amended to read as follows:

SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS.

(a) PURPOSE.—The purpose of this section is to establish the ongoing State entities to address the unmet needs of at-risk or delinquent youth, including through a continuum of delinquency prevention programs for juveniles who have had contact with the juvenile justice system or who are likely to have contact with the juvenile justice system.

(b) PROGRAM AUTHORIZED.—The Administrator shall—

(1) for each fiscal year for which less than $25,000,000 is appropriated under section 506, award grants to not fewer than 3 State entities, but not more than 5 State entities, that apply under subsection (c) and meet the requirements of subsection (d); or

(2) for each fiscal year for which $25,000,000 or more is appropriated under section 506, award grants to not fewer than 5 State entities that apply under subsection (c) and meet the requirements of subsection (d).

(c) STATE APPLICATION.—To be eligible to receive a grant under this section, a State entity shall submit an application to the Administrator that includes the following:

(1) An assurance the State entity will use—

(A) an analysis of the unmet needs of at-risk or delinquent youth in the community;

(B) a description of how the unmet needs of at-risk or delinquent youth in the community are met and by whom;

(C) a description of how the State entity will support services provided by the community and other entities for delinquency adjudication for juveniles and the incarceration of adult offenders for offenses committed in such community; and

(D) a minimum 3-year comprehensive strategy to address the unmet needs and an estimate of the amount or percentage of non-Federal funds that are available to carry out the strategy;

(E) a description of how delinquency prevention programs under the plan will be co-ordinated;

(F) a description of the performance evaluation process of the delinquency prevention programs to be implemented under the plan, which shall include performance measures to assess efforts to address the unmet needs of youth in the community analyzed under paragraph (A); and

(G) the evidence or promising evaluation on which such delinquency prevention programs are based; and

(i) such delinquency prevention programs are proven successful according to the performance evaluation process under subsection (D), a strategy to continue such programs, after the subgrant period with non-Federal funds, including a description of how any estimated savings or efficiencies created by the implementation of the plan may be used to continue such programs.

(2) An assurance the State entity will—

(A) in general, each subgrant period, after receipt of the amount the State entity desires a subgrant under subsection (a) for such fiscal year.

(3) An assurance the State entity will—

(A) in general, each subgrant period, after receipt of the amount the State entity desires a subgrant under subsection (a) for such fiscal year.

(4) An assurance the State entity will—

(A) in general, each subgrant period, after receipt of the amount the State entity desires a subgrant under subsection (a) for such fiscal year.

(5) An assurance the State entity will—

(A) in general, each subgrant period, after receipt of the amount the State entity desires a subgrant under subsection (a) for such fiscal year.

(6) An assurance the State entity will—

(A) in general, each subgrant period, after receipt of the amount the State entity desires a subgrant under subsection (a) for such fiscal year.
SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.

(a) IN GENERAL.—The Administrator shall make grants, on a competitive basis, to eligible Indian Tribes (or consortia of Indian Tribes) as described in subsection (b).

(1) improved and enhance—

(A) tribal juvenile delinquency prevention services; and

(B) the ability of Indian Tribes to respond to, and preventing, at-risk or delinquent youth upon release; and

(2) to encourage accountability of Indian tribal governments with respect to preventing, whether responding to, and caring for, juvenile offenders.

(b) ELIGIBLE INDIANS.—To be eligible to receive a grant under this section, an Indian Tribe or consortium of Indian Tribes shall submit to the Administrator an application in such form as the Administrator may require.

(c) CONSIDERATIONS.—In providing grants under this section, the Administrator shall take into consideration, with respect to the Indian Tribe to be served, the—

(1) delinquency rates;

(2) dropout rates; and

(3) number of youth at risk of delinquency.

(d) AVAILABILITY OF FUNDS.—Of the amount available for a fiscal year to carry out this title, 11 percent shall be available to carry out this section.

SEC. 506. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 2 years after the end of the fiscal year for which funds are appropriated to carry out the Incentive Grants for Local Delinquency Prevention Programs Act of 2002, the Comptroller General of the United States shall conduct an evaluation of a sample of subgrantees selected by the Comptroller General in accordance with subsection (b) that received funds under section 504(e) of such Act and shall submit a report of such evaluation to the Committee on Government Reform and Oversight of the United States House of Representatives.

(b) CONSIDERATIONS FOR EVALUATION.—For purposes of subsection (a), the Comptroller General shall—

(1) ensure that the sample to be evaluated is made up of subgrantees in States that are diverse geographically and economically; and

(2) include in such sample subgrantees that proposed different delinquency prevention programs.

(c) RECOMMENDATIONS AND FINDINGS.—In conducting the evaluation required by subsection (a), the Comptroller General shall—

(1) the delinquency prevention programs for which subgrantees received funds under section 504(e) of Incentive Grants for Local Delinquency Prevention Programs Act of 2002 achieved the outcomes and results anticipated by the particular State involved; and

(2) in the case of outcomes and results of delinquency programs defined by the State or a local entity, anticipated improved outcomes or results for juveniles occurred;

(3) the number of subgrantees that continue after the expenditure of such funds to provide such delinquency prevention programs;

(4) such delinquency prevention programs replaced existing or planned programs or activities in the State; and

(5) the evidence-based information used to justify such delinquency prevention programs was used with fidelity by local entities in accordance with the approach used to find the evidence.

SEC. 507. TECHNICAL AMENDMENT.

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 as enacted by Public Law 93–415 (88 Stat. 1130) (relating to miscellaneous and conforming amendments) is repealed.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a comprehensive analysis and evaluation regarding the performance of the agency and agency programs under subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.), the Comptroller General shall take into consideration—

(A) the outcome and results of the programs carried out by the agency and agency programs administered through grants by the agency;

(B) the extent to which the jurisdiction of, and programs administered by, the agency duplicate or conflict with the jurisdiction of, and programs administered through grants by other agencies;

(C) the potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating those programs;

(D) whether less restrictive or alternative methods exist to carry out the functions of the agency and whether current functions or operations are impeded or enhanced by existing statutes, regulations,

(E) the number and types of beneficiaries or persons served by programs carried out by the agency;

(F) the manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency;

(G) the extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the Freedom of Information Act);

(H) whether greater oversight is needed of programs developed with grants made by the agency; and

(I) the extent to which changes are necessary in the authorizing statutes of the agency in order for the functions of the agency to be performed in a more efficient and effective manner;

(b) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under section (a), the Comptroller General shall take into consideration whether—

(1) whether contracts were bid in accordance with program guidelines; and

(2) whether grant funds were spent in accordance with program goals and guidelines.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) submit a report regarding the evaluation conducted under subsection (a) to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

(B) make the report described in subparagraph (A) available to the public.

(d) CONSIDERATIONS.—The report submitted in accordance with paragraph (1) shall include all audit findings determined by the selected, statistically significant sample of grantees as required by subsection (a)(2) and shall include the name and location of any selected grantee as well as any findings required by subsection (a)(3).

SEC. 402. AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT.

(a) IN GENERAL.—The Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.) is amended by adding at the end the following:

"TITLE VI—AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT.

"SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this Act, except for titles III and IV, $72,000,000 for each fiscal year from 2019 through 2023, of which not more than $96,653,401 shall be used to carry out title V for each such fiscal year.

"SEC. 602. ACCOUNTABILITY AND OVERSIGHT.

"(a) SENSE OF CONGRESS.—It is the sense of Congress that, in order to ensure that at-risk youth, and youth who come into contact with the juvenile justice system or the criminal justice system, are treated fairly and with dignity.

"(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, must restore meaningful enforcement of the core requirements in title II; and

"(2) States, which are entrusted with a fiscal stewardship role if they accept funds under title II must exercise vigilant oversight to ensure full compliance with the core requirements for juveniles provided for in title II.

"(b) ACCOUNTABILITY.—

"(1) AGENCY PROGRAM REVIEW.—

"(A) PROGRAMMATIC AND FINANCIAL ASSESSMENT.

"(B) PERFORMING the Office of Audit, Assessment, and Management of the Office of Audit, Assessment, and Management of the Department of Justice (referred to in this section as the 'Director') shall—

"(i) the Office of Audit, Assessment, and Management of the Department of Justice at—

"(ii) the Office of Audit, Assessment, and Management of the Department of Justice; and

"(iii) the Office of Audit, Assessment, and Management of the Department of Justice;
"(i) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the 'agency') to determine if States and Indian Tribes receiving grants are following the requirements of the agency grant programs and that remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

"(aa) supporting documentation was not provided or cost reports; and

"(bb) unallowable expenditures occurred; and

"(cc) subrecipients of grant funds were not in compliance with program requirements;

"(II) conduct an analysis under each of subparagraphs (A), (B), and (C) of paragraph (2) and an audit and evaluation of a selected statistically significant sample of States and Indian Tribes (as determined by the Director) that have received Federal funds under title II, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees; and

"(III) submit a report in accordance with clause (iv).

"(ii) CONSIDERATIONS FOR EVALUATIONS.—In conducting the analysis and evaluation under clause (i), the Director, in order to determine the efficiency and public benefit of titles II and V, the Director shall take into consideration—

"(I) greater oversight is needed of programs developed with grants made by the agency;

"(II) changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner; and

"(III) the agency has implemented recommendations issued by the Comptroller General or Office of Inspector General relating to the grant making and grant monitoring activities of the agency;

"(III) CONSIDERATIONS FOR AUDITS.—In conducting the audit and evaluation under clause (i)(II), and in order to document the efficiency and public benefit of titles II and V, the Director shall take into consideration—

"(I) whether grantees timely file Financial Statement Reports;

"(II) whether grantees have sufficient internal controls to ensure adequate oversight of grant funds received;

"(III) the agency has implemented recommendations issued by the Comptroller General or Office of Inspector General relating to the grant making and grant monitoring activities of the agency;

"(IV) whether expenditures were authorized;

"(V) whether subrecipients of grant funds were complying with program requirements; and

"(VI) whether grant funds were spent in accordance with the program goals and guidelines.

"(IV) REPORT.—The Director shall—

"(I) submit to the Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including submissions to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

"(II) shall make such report available to the public online, not later than 1 year after the date of enactment of this section.

"(B) ANALYSIS OF INTERNAL CONTROLS.—

"(I) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the Administrator shall submit to Congress a report containing—

"(a) the findings of the analysis and evaluation conducted under paragraph (2); and

"(b) a description of remedial actions, if any, that will be taken by the Administrator to enhance the internal controls of the agency that may have been expended in violation of law, regulations, or program requirements issued under titles II and V;

"(II) a description of—

"(aa) whether the funds awarded under titles II and V have been used in accordance with law, regulations, program guidance, and applicable plans; and

"(cc) the extent to which funds awarded to States and Indian Tribes under titles II and V enhanced the ability of grantees to fulfill the core requirements.

"(C) REPORT BY THE ATTORNEY GENERAL.—

"(I) IN GENERAL.—Not later than 30 days after the date of enactment of this Act (excluding title IV), the Attorney General shall submit to the appropriate committees of Congress a report on the efficiency and public benefit of titles II and V, and the extent to which funds awarded to States and Indian Tribes under titles II.

"(ii) the comparability data used; and

"(III) contemporaneous substantiation of the deliberation and decision.

"(D) OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.—

"(A) IN GENERAL.—In order to ensure the effectiveness and programmatic use of grants administered under this Act (excluding title IV) and to prevent waste, fraud, and abuse of funds by grantees, the Inspector General of the Department of Justice shall annually conduct audits of grantees that receive funds under this Act.

"(B) ASSESSMENT.—Not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018 and annually thereafter, the Inspector General shall conduct a risk assessment to determine the appropriate scope of audits to be conducted under subparagraph (A) in the year involved.

"(C) PUBLIC AVAILABILITY ON WEBSITE.—The Attorney General shall make the summary of each report required under this section available on the website of the Department of Justice, subject to redaction as the Attorney General determines necessary to protect classified or sensitive information.

"(D) MANDATORY EXCLUSION.—A recipient of grant funds under this Act (excluding title IV) that is found to have an unallowable audit finding for a fiscal year may not receive grant funds under this Act (excluding title IV) during the first 2 fiscal years beginning after the 12-month period beginning on the date on which the final audit report is issued.

"(E) PRIORITY.—In awarding grants under this Act (excluding title IV), the Administrator shall give priority to a State or Indian Tribe that did not have an unresolved audit finding during the 3 fiscal years prior to the date on which the State or Indian Tribe submits an application for a grant under this Act.

"(F) REIMBURSEMENT.—If a State or an Indian Tribe is awarded a grant under this Act (excluding title IV) during the 2-fiscal-year period in which the final audit report is issued from receiving grants under subparagraph (D), the Attorney General shall—

"(i) deposit an amount equal to the amount of grant funds that were improperly awarded to the grantee into the general fund of the Treasury; and

"(ii) seek to recoup the costs of the repayment to the general fund under clause (i) from the grantee that was erroneously awarded grant funds.

"(2) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General that the audit report is issued.

"(3) NONPROFIT ORGANIZATION REQUIREMENTS.—

"(A) DEFINITION.—For purposes of this paragraph, the grant program described in this Act (excluding title IV) is a nonprofit organization that holds money in offshore accounts for the purpose of avoiding potential tax liens described in section 501(c)(3) of the Internal Revenue Code of 1986, respectively.

"(B) PROHIBITION.—The Administrator may not make the information disclosed under this paragraph available to the public online, not later than 30 days after the date of enactment of this Act, to prevent any expenditure for conferences that uses more than $20,000 in funds made available to the Inspector General, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.
GLOBAL FOOD SECURITY REAUTHORIZATION ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (S. 2269) to reauthorize the Global Food Security Act of 2016 for 5 additional years, and ask for its immediate consideration by the House.

The Clerk read the title of the bill. The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

S. 2269

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 “Global Food Security Reauthorization Act of 2017”.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) ASSISTANCE TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.—Section 6(a) of the Global Food Security Act of 2016 (22 U.S.C. 9306(a)) is amended—

(1) by striking “(D) the Secretary of Agriculture may award grants for the purpose of implementing the Global Food Security Strategy”;

(2) by inserting “in an amount necessary to implement the Global Food Security Strategy for each fiscal year”, after “in fiscal years 2017 and 2018”;

(3) by inserting “(E) the funds appropriated under subparagraph (D) may be used for expenses incurred to implement the Global Food Security Strategy” after “the amounts available”;

(4) by striking “under subparagraph (C)” after “the amounts available”;

(b) EMERGENCY FOOD SECURITY PROGRAM.—Section 429(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2252a(a)) is amended by—

(1) by striking “(3) in an amount not to exceed $100,000,000,” after “in fiscal years 2017”;

(2) by striking “(4) in an amount not to exceed $50,000,000,” after “in fiscal years 2017”;

(3) by striking “(5) in an amount not to exceed $50,000,000,” after “in fiscal years 2017”;

(4) by striking “(6) in an amount not to exceed $25,000,000,” after “in fiscal years 2017”;

(5) by striking “(7) in an amount not to exceed $25,000,000,” after “in fiscal years 2017”;

(c) REAUTHORIZATION OF ASSISTANCE TO IMPLEMENT THE GLOBAL FOOD SECURITY STRATEGY.—Section 6(b) of the Global Food Security Act of 2016 (22 U.S.C. 9306(b)) is amended by—

(1) by striking “(D) the Secretary of Agriculture may make grants for the purpose of implementing the Global Food Security Strategy”;

(2) by striking “in amounts not to exceed $250,000,000,” after “the amounts available”;

(3) by striking “under subparagraph (C)” after “the amounts available”;

(4) by striking “in fiscal years 2017” after “in an amount not to exceed $250,000,000,”;

(5) by striking “in fiscal years 2017” after “the amounts available”;

(d) CLARIFICATION.—For purposes of this Act, “establishment” means—

(1) an institution of higher education,

(2) a library, research institute, or other public or private organization;

(3) a private partnership, or an organization, public or private;

(4) a governmental unit;

(5) an organization of governmental units;

(6) an international governmental organization;

(7) a foreign governmental organization;

(8) a public or private foundation;

(9) a public or private educational association or professional society;

(10) a business enterprise;

(11) a labor union;

(12) an agency, organization, or other group that qualifies as a public or private foundation under section 509(a) of the Internal Revenue Code of 1986.

(e) ANNUAL CERTIFICATION.—Beginning in the 1st fiscal year that begins after the effective date of this section, the Attorney General shall submit to the Committee on Appropriations of the Senate, and the Committee on Appropriations of the House of Representatives, an annual certification that—

(1) all audits issued by the Inspector General of the Department of Agriculture have been issued;

(2) mandatory exclusions under paragraph (2)(D) have been issued;

(3) all grants made to a recipient under subparagraph (A), the Attorney General shall—

(A) require the recipient to repay the grant in full; and

(B) prohibit the recipient to receive another grant under this Act for long not less than 5 years.

(f) PENALTY.—If the Attorney General determines that any recipient of a grant has violated any provisions of this Act, the Attorney General shall—

(1) request the recipient to repay the full amount of the grant;

(2) request the recipient to repay the full amount of the grant in full;

(g) BEHAVIOR OF OFFICERS AND EMPLOYEES.—The Secretary of Agriculture and the Attorney General shall submit to the Committee on Appropriations of the House of Representatives a report that in—

(1) lists any individual that has been subject to this section;

(2) describes any actions taken by the Attorney General under this section.

(h) DEFINITIONS.—The definitions in section 3 of the Global Food Security Act of 2016 (22 U.S.C. 9302) shall apply to this Act.

BE IT FURTHER RESOLVED, That the cost to the United States shall not exceed the full amount of the victim’s losses.

SEC. 3. GLOBAL FOOD SECURITY STRATEGY IMPLEMENTATION REPORTS.

Section 8(a) of the Global Food Security Act of 2016 (22 U.S.C. 9307(a)) is amended—

(1) in paragraph (1) —

(A) by striking “Not later than 1 year and

(B) DETERMINING A RESTITUTION AMOUNT .—Except as provided in paragraph (2), the court shall direct the defendant to pay the victim in an amount that—

(A) shall not exceed the full amount of the victim’s losses; and

(B) shall direct the defendant to pay the victim in an amount which is between $3,000 and 1 percent of the defendant’s income for the year in which the victim incurred the losses.

(c) AMY, VICKY, AND ANDY CHILD PORNOGRAPHY VICTIM ASSISTANCE ACT OF 2017

Mr. MARINO. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (H.R. 7947) to amend title 18, United States Code, with respect to child pornography, for other purposes, and ask for its immediate consideration by the House.

The bill was ordered to be read a second time, was read the second time, was passed the second time, and the Speaker laid the bill on the table.

AMY, VICKY, AND ANDY CHILD PORNOGRAPHY VICTIM ASSISTANCE ACT OF 2017

Mr. MARINO. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the bill (H.R. 7947) to amend title 18, United States Code, with respect to child pornography, for other purposes, and ask for its immediate consideration by the House.

The text of the bill is as follows:

H.R. 7947

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 “Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2017”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) the demand for child pornography harms children because it drives production, which involves severe and often irreplaceable child sexual abuse and exploitation.

(2) The harms caused by child pornography begin, but do not end, with child sex abuse because child pornography is a permanent record of that abuse and trafficking in those images compounds the harm.

(3) In Paroline v. United States (2014), the Supreme Court recognized that “every viewing of child pornography is a repetition of the victim’s abuse”.

(4) The American Professional Society on the Abuse of Children has stated that for victims of child pornography, “the sexual abuse of the child, the memorialization of that abuse which becomes child pornography, and its subsequent distribution and viewing become psychologically intertwined and each compound the harm suffered by the child-victim.”

(5) Victims suffer continuing and grievous harm as a result of knowing that a large, indeterminate number of individuals have viewed and will in the future view images of their childhood sexual abuse. Harms of this sort are a major reason that child pornography is outlawed.

(6) The unlawful collective conduct of every individual who reproduces, distributes, or possesses the images of a victim’s childhood sexual abuse places a part in sustaining and aggravating the harms to that individual victim. Multiple actors independently commit intentional crimes that combine to produce an indivisible injury to a victim.

(7) It is the intent of Congress that victims of child pornography be fully compensated for all the harms resulting from every perpetrator who contributes to their anguish. Such an aggregate causation standard reflects the nature of child pornography and the unique ways that it actually harms victims.

SEC. 3. DETERMINING RESTITUTION.

(a) DETERMINING RESTITUTION.—Section 2259(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “The order” and inserting “Except as provided in paragraph (2), the order”;

(B) by striking “as determined by the court pursuant to paragraph (2)” after “of the victim’s losses”;

(2) by striking paragraph (3);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

“(2) RESTITUTION FOR TRAFFICKING IN CHILD PORNOGRAPHY.—If the defendant was convicted for trafficking in child pornography, this paragraph of restitution shall direct the defendant to pay the victim (through the appropriate court mechanism) an amount of restitution determined by the court as follows:

“(A) DETERMINING THE FULL AMOUNT OF A VICTIM’S LOSSES.—The court shall determine the full amount of the victim’s losses that were incurred or are likely to be incurred by the victim as a result of the trafficking in child pornography.

“(B) DETERMINING A RESTITUTION AMOUNT.—After completing the determination required under subparagraph (A), the court shall enter an order of restitution against the defendant in favor of the victim in an amount which is between $3,000 and 1 percent of the full amount of the victim’s losses.

“(C) TERMINATION OF PAYMENT.—A victim’s total aggregate recovery pursuant to this section shall not exceed the full amount of the victim’s demonstrated losses. After the victim has received restitution in the full amount of the victim’s losses as measured by the greatest amount found in any case involving that victim that has resulted in a final restitution order under this...
section, the liability of each defendant who is or has been ordered to pay restitution for such losses to that victim shall be terminated. The court may direct the victim to provide evidence concerning the amount of restitution the victim has been paid in other cases for the same losses.

(b) ADDITIONAL DEFINITIONS.—Section 2259(c) of title 18, United States Code, is amended—

(1) in the heading, by striking “DEFINITIONS” and inserting “DEFINITIONS’’;

(2) by striking “For purposes’’ and inserting the following:

”(4) VICTIM.—For purposes’’;

(3) by striking “under this chapter, including, in so far as applicable” and inserting “under this chapter’’; and

(4) by inserting after “or any other person appointed as suitable by the court’’ the following: “may assume the crime victim’s rights under this section’’;

and

(5) by inserting before paragraph (4), as so designated, the following:

”(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term ‘child pornography production’ means conduct proscribed by subsections (a) through (c) of section 2251, section 2252A(a)(2) (in cases in which the series of felony violations listed in this section, section 2259(a), or any offense that precedes section 2259 the production of child pornography, as defined in section 2256).

”(2) FULL AMOUNT OF THE VICTIM’S LOSSES.—For purposes of this section, the term ‘full amount of the victim’s losses’ includes any costs incurred, or reasonably projected to be incurred in the future, by the victim in the case of a trafficking in child pornography conviction, as a proximate result of all trafficking in child pornography offenses involving the same victim, including:

(A) medical services relating to physical, psychiatric, or psychological care;

(B) physical and occupational therapy or rehabilitation;

(C) necessary transportation, temporary housing, and child care expenses;

(D) lost income;

(E) attorneys’ fees, as well as other costs incurred; and

(F) any other relevant losses incurred by the victim.

”(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term ‘trafficking in child pornography production’ means a series of violations described by section 2251(a), 2251A, 2252, 2252A, section 2252A(a)(2) (in cases in which the series of felony violations exclusively involves violations listed in this section), or section 2260(b).’’;

(c) CLERICAL AMENDMENT.—Section 1593(b)(3) of title 18, United States Code, is amended by striking “section 2259(b)(3)” and inserting “section 2259(b)(3)’’.

SEC. 4. DEFINED MONETARY ASSISTANCE.

Section 2259 of title 18, United States Code, is amended by adding at the end the following:

”(d) DEFINED MONETARY ASSISTANCE.—

”(1) DEFINED MONETARY ASSISTANCE MADE AVAILABLE AT VICTIM’S ELECTION.—

”(A) ELECTION TO RECEIVE DEFINED MONETARY ASSISTANCE.—Subject to paragraph (2) and (3), if the defendant was convicted of child pornography production, the victim of child pornography production may choose to receive defined monetary assistance from the Child Pornography Victims’ Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984.

”(B) FEES.—A defendant eligible for defined monetary assistance under this subsection, a court shall determine whether the claimant is a victim of child pornography production.

”(C) ORDER.—If a court determines that a claimant is a victim of child pornography production and the claimant chooses to receive defined monetary assistance, the court shall order payment in accordance with subparagraph (D) to the victim from the Child Pornography Victims’ Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984.

”(D) AMOUNT OF DEFINED MONETARY ASSISTANCE.—The amount of defined monetary assistance payable under this subparagraph shall be equal to—

(i) for the first calendar year after the date of enactment of this section, $35,000; and

(ii) for each calendar year after the year described in clause (i), $35,000 multiplied by the ratio (not less than one) of—

(I) the Consumer Price Index for all Urban Consumer (CPI–U, as published by the Bureau of Labor Statistics of the Department of Labor) for the calendar year preceding such calendar year; to

(II) the CPI–U for the calendar year 2 years before the calendar year described in clause (i), $35,000 multiplied by the ratio (not less than one) of—

(1) the Consumer Price Index for all Urban Consumer (CPI–U, as published by the Bureau of Labor Statistics of the Department of Labor) for the calendar year preceding such calendar year; to

(2) the CPI–U for the calendar year 2 years before the calendar year described in clause (i).

”(E) LIMITATIONS ON DEFINED MONETARY ASSISTANCE.—

”(A) IN GENERAL.—A victim may only obtain defined monetary assistance under this subsection once.

”(B) EFFECT ON RECOVERY OF OTHER RESTITUTION.—A victim who obtains defined monetary assistance under this subsection shall not be barred or limited from receiving restitution against any defendant for any offenses not covered by this section.

”(C) DEFINED MONETARY ASSISTANCE ELIGIBLE.—If a victim who received defined monetary assistance under this subsection subsequently seeks restitution under this section, the court shall deduct the amount of the defined monetary assistance when determining the full amount of the victim’s losses.

”(3) LIMITATIONS ON ELIGIBILITY.—A victim who has collected payment of restitution pursuant to this section in an amount greater than the amount provided for under paragraph (1)(D) shall be ineligible to receive defined monetary assistance under this subsection.

”(4) GUARDIAN AD LITEM.—In all cases alleging child pornography production, the court shall appoint a guardian ad litem, who shall be an attorney, for each identified victim of the child pornography production pursuant to section 2259.

”(B) FEES.—A guardian ad litem appointed pursuant to this subsection may not charge, receive, or collect, without court approval for good cause shown, any fees or payment of expenses that in the aggregate exceed 10 percent of any defined monetary assistance payment made under this subsection.

”(C) PENALTY.—Any guardian ad litem who violates subparagraph (B) shall be fined under this title, imprisoned for not more than one year, or both.

SEC. 5. ASSESSMENTS IN CHILD PORNOGRAPHY CASES.

(a) ASSESSMENTS IN CHILD PORNOGRAPHY CASES.—Chapter 110 of title 18, United States Code, is amended by inserting after section 2259 the following:

“§ 2259A. Assessments in child pornography cases

”(a) IN GENERAL.—In addition to any other criminal penalty, restitution, or special assessment authorized by law, the court shall assess—

”(1) not more than $17,000 on any person convicted of an offense under section 2252A(a)(4) or 2252A(a)(5);
Child Pornography Victims Reserve has insufficient funds to make all of the payments ordered under section 2259(d), the Child Pornography Victims Reserve shall make such payments in the order of priorities established by fully funded amounts. In determining the order in which such payments shall be made, the Child Pornography Victims Reserve shall make payments based on the date they were ordered, with the earliest-ordered payments made first.

(c) ADMINISTRATION.—The Attorney General shall administer the Child Pornography Victims Reserve and shall issue guidelines and regulations to implement this section.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Attorney General shall adopt the implementing regulations before this legislation is enacted, but who are sentenced after this legislation is enacted, to the statutory

TAIN ACTIVITIES PERTAINING TO CHILD POR-

EIGN COMMERCE PROVISION REGARDING CER-

ISFACTION OF AN UNPAID FINE.—Section

the victim may seek to qualify to furnish ex-

or material reasonably available to the vic-

long as the Government makes the property

is defined by section 2256 of this title, so

child pornography production, as those

section 2256, depicting the victim, for inspec-

section 2256, depicting the victim, for inspec-

or material that constitutes child pornography, as defined by

section 2256, depicting the victim, for inspection, viewing, and examination at a Government

section 2256, depicting the victim, for inspection, viewing, and examination at a Government

and shall order restitution in an amount that reflects

 getProperty or material that constitutes child pornography, as defined by

section 2256, depicting the victim, for inspection, viewing, and examination at a Government

facility, by the victim, his or her attorney, or the victim may seek to qualify to furnish expert witness

"(B) A victim of trafficking in child por-

ography or child pornography production, as those terms are defined in section 2259(c), shall have access to any property or material that constitutes child pornography, as defined by section 2256, depicting the victim, his or her attorney, or the victim may seek to qualify to furnish expert witness testimony.

(3) A victim of trafficking in child pornography or child pornography production, as those terms are defined in section 2259(c), shall have access to any property or material that constitutes child pornography, as defined by section 2256, depicting the victim, his or her attorney, or the victim may seek to qualify to furnish expert witness testimony.

SEC. 7. FURTHER AMENDMENTS.

(a) EXPANSION OF CIVIL REMEDIES FOR SATISFACTION OF AN UNPAID FINE.—Section 3612(c) of title 18, United States Code, is amended by inserting "an assessment imposed pursuant to section 2259A of this title," after "pursuant to the provisions of subchapter C of chapter 227 of this title.

(b) DEFINITION OF CHILD PORNOGRAPHY PRODUCTION REGARDING CERTAIN ACTIVITIES PERTAINING TO CHILD PORNOGRAPHY.—Section 2252A (a)(2) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(2) by striking paragraph (3); and

(b) ADDITIONAL DEFINITIONS.—Section

(c) CLARIFICATION OF THE DEFINITION OF "SEXUALLY EXPPLICIT CONDUCT".—Section

the court as follows:

(1) in paragraph (1)—

(b) by striking paragraph (3); and

(c) by striking "as determined by the court pursuant to paragraph (2)" after "of the victim's losses";

(b) by redesignating paragraph (2) as paragraph (3); and

(2) RESTITUTION FOR TRAFFICKING IN CHILD PORNOGRAPHY.—If the defendant was convicted of trafficking in child pornography, the court shall order restitution under this section in an amount to be determined by the court as follows:

"(A) DETERMINING THE FULL AMOUNT OF A VICTIM'S LOSSES.—The court shall determine the full amount of the victim's losses that were incurred or are reasonably projected to be incurred by the victim as a result of the trafficking in child pornography depicting the victim.

"(B) DETERMINING A RESTITUTION AMOUNT.—After completing the determination required under subparagraph (A), the court shall order restitution in an amount that reflects the defendant's relative role in the causal process that underlies the victim's losses, which is no less than 3%.

"(C) TERMINATION OF PAYMENT.—A victim's total aggregate recovery pursuant to this section shall not exceed the full amount of the victim's demonstrated losses. After the victim has received restitution in the full amount of the victim's losses as measured by the greatest amount of such losses found in any case involving that victim that has resulted in a final restitution order under this section, the liability of each defendant who is under or has been ordered to pay restitution for such losses to that victim shall be terminated. The court may require the victim to provide information concerning the amount of restitution the victim has been paid in other cases for the same losses.

(b) ADDITIONAL DEFINITIONS.—Section

(c) CLARIFICATION OF THE DEFINITION OF "SEXUALLY EXPLICIT CONDUCT".—Section

(b) by redesignating paragraph (2) as paragraph (3); and

(2) in subparagraph (B)(iii)—

(1) by inserting "anus," before "genitals";

(2) by inserting a comma after "genitals";

(a) EXPANSION OF CIVIL REMEDIES FOR SATISFACTION OF AN UNPAID FINE.—Section 3612(c) of title 18, United States Code, is amended by inserting after the item relating to section 2259 the following:

"2259A. Assessments in child pornography cases.

"2259B. Child pornography victims reserve.

SEC. 6. CHILD PORNOGRAPHY VICTIMS RIGHT TO EVIDENCE.

Section 3559(e)(2) of title 18, United States Code, is amended by adding at the end the following:

"(3) by striking ''under this chapter, includ-

"(1) in paragraph (1)—

(b) by striking paragraph (3); and

(b) by inserting a comma after "genitals";

(c) by striking "as determined by the court pursuant to paragraph (2)" after "of the victim's losses";

(2) in paragraph (1)—

(1) by striking "as determined by the court pursuant to paragraph (2)" after "of the victim's losses";

(c) by striking "as determined by the court pursuant to paragraph (2)" after "of the victim's losses";

"(A) DETERMINING THE FULL AMOUNT OF A VICTIM'S LOSSES.—The court shall determine the full amount of the victim's losses that were incurred or are reasonably projected to be incurred by the victim as a result of the trafficking in child pornography depicting the victim.

(b) ADDITIONAL DEFINITIONS.—Section

(c) CLARIFICATION OF THE DEFINITION OF "SEXUALLY EXPLICIT CONDUCT".—Section

"(A) DETERMINING THE FULL AMOUNT OF A VICTIM'S LOSSES.—The court shall determine the full amount of the victim's losses that were incurred or are reasonably projected to be incurred by the victim as a result of the trafficking in child pornography depicting the victim.

(b) ADDITIONAL DEFINITIONS.—Section

"(A) DETERMINING THE FULL AMOUNT OF A VICTIM'S LOSSES.—The court shall determine the full amount of the victim's losses that were incurred or are reasonably projected to be incurred by the victim as a result of the trafficking in child pornography depicting the victim.

(b) ADDITIONAL DEFINITIONS.—Section

(c) CLARIFICATION OF THE DEFINITION OF "SEXUALLY EXPLICIT CONDUCT".—Section
“(A) medical services relating to physical, psychiatric, or psychological care; “(B) physical and occupational therapy or rehabilitation; “(C) emergency transportation, temporary housing, and child care expenses; “(D) lost income; “(E) reasonable attorneys’ fees, as well as any other expenses the court determines necessary; “(F) any other relevant losses incurred by the victim. “(3) TRAFFICKING IN CHILD PORNOGRAPHY.—“For purposes of this section and section 2259A, the term ‘trafficking in child pornography’ means conduct proscribed by section 2251(d), 2252, 2252A(a)(1) through (5), 2252A(a)(7), or 2252A(a)(9) of which the series of felony violations exclusively involves violations of section 2251(d), 2252, 2252A(a)(1) through (5), or 2252(b), or 2252(b).” “(c) CLERICAL AMENDMENT.—Section 1593(b)(3) of title 18, United States Code, is amended by striking “section 2259(b)(3)” and inserting “section 2259(c)(3)”. SEC. 4. DEFINED MONETARY ASSISTANCE. Section 2259 of title 18, United States Code, is amended by adding at the end the following: “(d) DEFINED MONETARY ASSISTANCE.— “(1) DEFINED MONETARY ASSISTANCE MADE AVAILABLE AT VICTIM’S ELECTION.— “(A) IN GENERAL.—A victim may only obtain defined monetary assistance under this subsection if a defendant is convicted of trafficking in child pornography, any victim of trafficking in child pornography may choose to receive defined monetary assistance from the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)). “(B) FINDINGS.—To be eligible for defined monetary assistance under this subsection, a court shall determine whether the claimant is a victim of trafficking who was convicted of trafficking in child pornography. “(C) ORDER.—If a court determines that a claimant is a victim of trafficking in child pornography under subparagraph (B) and the claimant chooses to receive defined monetary assistance, the court shall order payment in accordance with subparagraph (D) to the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984. “(D) AMOUNT OF DEFINED MONETARY ASSISTANCE.—The amount of defined monetary assistance payable under this subparagraph shall be equal to— “(i) for the first calendar year after the date of enactment of this subsection, $35,000; and “(ii) for each calendar year after the year described in clause (i), $35,000 multiplied by the ratio (not less than one) of— “(1) the Consumer Price Index for all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the Department of Labor for the calendar year preceding such calendar year; to “(2) the CPI-U for the calendar year 2 years before the calendar year described in clause (i). “(2) LIMITATIONS ON DEFINED MONETARY ASSISTANCE.— “(A) IN GENERAL.—A victim may only obtain defined monetary assistance under this subsection once. “(B) EFFECT ON RECOVERY OF OTHER RESTITUTION.—A victim who obtains defined monetary assistance under this subsection shall not be barred or limited from receiving restitution against any defendant for any offenses not covered by this section. “(C) EFFECT ON OTHER PENALTIES.—If a victim who received defined monetary assistance under this subsection subsequently seeks restitution under this section, the court shall deduct the amount the victim received in defined monetary assistance when determining the full amount of the victim’s losses. “(D) ORDER UNDER AGENCY.—A victim who has collected payment of restitution pursuant to this section in an amount greater than the amount provided for under paragraph (1) is not eligible to receive defined monetary assistance under this subsection. “(4) ATTORNEY FEES.— “(A) IN GENERAL.—An attorney representing a victim seeking defined monetary assistance under this subsection may not charge fees or costs that in the aggregate exceeds 15 percent of any payment made under this subsection. “(B) PENALTY.—An attorney who violates subparagraph (A) shall be fined under this title, imprisoned not more than 1 year, or both.” SEC. 5. ASSESSMENTS IN CHILD PORNOGRAPHY CASES. (a) ASSESSMENTS IN CHILD PORNOGRAPHY CASES.—Chapter 110 of title 18, United States Code, is amended by inserting after section 2259 the following: “§ 2259A. Assessments in child pornography cases “(a) IN GENERAL.—In addition to any other criminal penalty, restitution, or special assessment authorized by law, the court shall assess— “(1) not more than $17,000 on any person convicted of an offense under section 2251(a)(4) or 2252A(a)(5); “(2) not more than $35,000 on any person convicted of any other offense for trafficking in child pornography; and “(3) not more than $50,000 on any person convicted of a child pornography production offense. “(b) ANNUAL ADJUSTMENT.—The dollar amounts in subsection (a) shall be adjusted annually in conformity with the Consumer Price Index. “(C) FACTORS CONSIDERED.—In determining the amount of the assessment under subsection (a), the court shall consider the factors set forth in sections 3553(a) and 3572. “(d) IMPOSITION AND IMPLEMENTATION.— “(1) IN GENERAL.—The provisions of subsection C of chapter 227 (other than section 2371) and chapter 229 (relating to fines) apply to assessments under this section. “(2) DEFERRAL.—The provisions of this section do not apply to any contrary provisions of law relating to fines or disbursement of money received from a defendant. “(2) EFFECT ON OTHER PENALTIES.—Imposition of an assessment under this section does not relieve a defendant of, or entitle a defendant to reduce the amount of any other penalty by the amount of the assessment. Any money received from a defendant shall be disbursed so that each of the following obligations is paid in full in the following sequence: “(A) A special assessment under section 3013. “(B) Restitution to victims of any child pornography production or trafficking offense that the defendant committed. “(C) An assessment under this section. “(D) Other orders under any other section of this title. “(E) Any other fines, penalties, costs, and other payments required under the sentence. “(b) CHILD PORNOGRAPHY VICTIMS RESERVE.—Section 1402(d) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)) is amended by inserting after the last sentence: “(6)(A) The Director may set aside up to $250,000 of the amounts deposited to or available in the Fund.” “(b) AVAILABILITY FOR DEFINED MONETARY ASSISTANCE.—Amounts in the Child Pornography Victims Reserve shall be available for payment of defined monetary assistance pursuant to section 2259(d). If at any time the Child Pornography Victims Reserve has insufficient funds to make all of the payments ordered under section 2259(d), the Child Pornography Victims Reserve shall make such payments as it can satisfy in full from available funds. In determining the order in which such payments shall be made, the Child Pornography Victims Reserve shall make payments based on the date they were ordered, with the earliest-ordered payments made first. “(c) ADMINISTRATION.—The Attorney General shall administer the Child Pornography Victims Reserve and shall issue guidelines and regulations to implement this section. “(d) IMPOSITION AND IMPLEMENTATION.—In general.—The Child Pornography Victims Reserve shall be available for payment of defined monetary assistance pursuant to section 2259(d). “(d) CERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the last item relating to section 2259 the following: “2259A. Assessments in child pornography cases “2259B. Child pornography victims reserve”. SEC. 6. CHILD PORNOGRAPHY VICTIMS’ RIGHT TO EVIDENCE. Subsection (e)(3)(B)(m) of title 18, United States Code, is amended by adding at the end the following: “(3) In any criminal proceeding, a victim, as defined under section 2256(c)(4), shall have access to any material that constitutes child pornography, as defined under section 2256(8), depicting the victim, for inspection, viewing, and examination at a Government facility or court, by the victim, his or her attorney, and any individual the victim may seek to qualify to furnish expert testimony, but under no circumstance may such material be copied, photographed, duplicated, or otherwise reproduced. Such property or material
There was no objection.
The text of the bill is as follows:

8. 1311

Be it enacted by the Senate and House of Represent- 
vatives of the United States of America in Congress assembled, 

SECTION 1. SHORT TITLE. TABLE OF CONTENTS. 

(a) SHORT TITLE.—This Act may be cited as the "Abolish Human Trafficking Act of 2017". 

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

Sec. 1. Short title; table of contents. 
Sec. 2. Preserving Domestic Trafficking Victims' Fund. 
Sec. 3. Mandatory restitution for victims of commercial sexual exploitation. 
Sec. 4. Victim-witness assistance in sexual exploitation cases. 
Sec. 5. Victim protection training for the Department of Homeland Security. 
Sec. 6. Implementing a victim-centered approach to human trafficking. 
Sec. 7. Direct services for child victims of human trafficking. 
Sec. 8. Holistic review for federal law enforcement officers and prosecutors. 
Sec. 9. Best practices in delivering justice to human trafficking perpetrators. 
Sec. 10. Improving the national strategy to combat human trafficking. 
Sec. 11. Specialized human trafficking training and technical assistance for service providers. 
Sec. 13. Targeting organized human trafficking perpetrators. 
Sec. 15. Combating sex tourism. 
Sec. 16. Human Trafficking Justice Coordinators. 
Sec. 17. Interagency Task Force to Monitor and Combat Human Trafficking. 
Sec. 18. Additional reporting on crime. 
Sec. 19. Making the Presidential Survivor Council permanent. 
Sec. 20. Strengthening the national human trafficking hotline. 
Sec. 21. Ending Government partnerships with the commercial sex industry. 
Sec. 22. Understanding the effects of severe forms of trafficking in persons. 
Sec. 23. Combating trafficking in persons. 
Sec. 24. Grant accountability. 
Sec. 25. HERO Act improvements. 

SECOND. PRESERVING DOMESTIC TRAFFICKING VICTIMS' FUND. 

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Victims' Fund established under section 3014 of title 18, United States Code—

(1) is intended to supplement, and not supplant, any other funding for domestic trafficking victims; and

(2) has achieved the objective described in paragraph (1) since the establishment of the Fund. 

(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking "September 30, 2017" and inserting "September 30, 2020"; and

(2) in subsection (e) (1), in the matter preceding subparagraph (A), by striking "2019" and inserting "2023". 

(c) INCREASED FUNDING.—The appropriation for fiscal year 2017 under this section (as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102)) is increased by 10.

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION. 

(a) AMENDMENT.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

"§ 2429. Mandatory restitution.

"(a) Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

"(b) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3), and shall additionally require the defendant to pay the greater of the gross income or value to the defendant of the victim's services, the services the defendant would have rendered if the criminal sex acts as defined under section 1991.

"(c) Restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

"(d) As used in this subsection, the term 'full amount of the victim's losses' has the same meaning as provided in section 2259(b)(3)."

SEC. 4. VICTIM-WITNESS ASSISTANCE IN SEXUAL EXPLOITATION CASES. 

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(e)(1)(B) of title 28, United States Code, is amended by inserting "chapter 110 of title 18", after "chapter 77 of title 18". 

(b) AMENDMENT TO TITLE 31.—Section 9705(a)(2)(B)(v) of title 31, United States Code, is amended by inserting "chapter 110 of title 18", after "chapter 110 of title 18", and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

"SEC. 906. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

"(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFICIALS AND TASK FORCES.—

Mr. MARINO (during the reading). 
The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABOLISH HUMAN TRAFFICKING ACT OF 2017

Mr. MARINO. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary, Committee on Foreign Affairs, Committee on Energy and Commerce, and Committee on Homeland Security be discharged from further consideration of the bill (S. 1311) to provide assistance in abolishing human trafficking in the United States, and ask for its immediate consideration in the House.

Mr. MINOR. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary, Committee on Foreign Affairs, Committee on Energy and Commerce, and Committee on Homeland Security be discharged from further consideration of the bill (S. 1311) to provide assistance in abolishing human trafficking in the United States, and ask for its immediate consideration in the House.
(1) In General.—Not later than 180 days after the date of enactment of this Act, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

(i) the grant funds—

(1) will be used to assist in the prevention of severe forms of trafficking in persons in accordance with Federal law;

(2) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

(3) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of trafficking for any offense that is the direct result of their victimization; and

(4) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement for a period that is longer than the duration of the grant received under this paragraph.

SEC. 7. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13002(b)) is amended—

(1) in the heading by inserting “CHILD VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND” before “VICTIMS OF CHILD PORNOGRAPHY”;

(2) by inserting “victims of a severe form of trafficking (as defined in section 105 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) who were under the age of 18 at the time of the offense” before “victims of child pornography”.

SEC. 8. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS AND PROSECUTORS.

All training required under the Combat Human Trafficking Act of 2015 (42 U.S.C. 14044g) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) was or was subject to force, fraud, or coercion, or was engaged in any act of human trafficking; and

(2) develop a specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 9. BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue guidance to all offices and components of the Department of Justice—

(1) emphasizing that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) was or was subject to force, fraud, or coercion is guilty of an offense under section 717 of title 18, United States Code, and is a party to a severe form of trafficking in persons, as that term is defined in section 101(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9));

(2) recommending best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Trafficking Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 228), including a directive that civil liens are an authorized collection method and remedy under section 3014 of title 18, United States Code; and

(3) clarifying that commercial sexual exploitation is a form of gender-based violence.

SEC. 10. IMPROVING THE NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING.

Section 606(b) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044h(b)) is amended by adding at the end the following:

(6) a national strategy to prevent human trafficking and reduce demand for human trafficking victims.

SEC. 11. SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS.

(a) In General.—Section 111 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14044f) is amended—

(1) in the heading by striking “LAW ENFORCEMENT TRAINING PROGRAMS” and inserting “SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS”;

(2) in subsection (a)(2), by striking “means a State or a local government,” and inserting the following: “means—

(A) a State or unit of local government;

(B) a federally recognized Indian tribal government, as determined by the Secretary of the Interior;

(C) a victim service provider;

(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization);

(E) a national organization; or

(F) an institution of higher education (including tribal institutions of higher education);”;

(3) by striking subsection (b) and inserting the following:—

(b) GRANTS AUTHORIZED.—The Attorney General may award grants to eligible entities to—

(1) provide training to identify and protect victims of trafficking;

(2) improve the quality and quantity of services offered to trafficking survivors; and

(3) improve victim service providers’ partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities;”;

and

(4) in subsection (c)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (3) the following:

(4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims;

(5) develop and distribute materials, including materials identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking survivors;

(6) identify and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers; and

(7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; or

(8) assist service providers in developing additional resources such as partnerships...
with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.

(b) CONFERENCING AMENDMENT.—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162, 119 Stat. 2969) is amended by striking the item relating to section 111 and inserting the following: “Sec. 111. Grants for specialized human trafficking training and technical assistance for service providers.”

SEC. 12. ENHANCED PENALTIES FOR HUMAN TRAFFICKING, CHILD EXPLOITATION, AND REPEAT OFFENDERS.

Part I of title 18, United States Code, is amended—

(1) in chapter 77—

(A) in section 1583(a), in the flush text following paragraph (3), by striking “not more than 20 years” and inserting “not more than 30 years”;

(B) in section 1587, by striking “four years” and inserting “10 years”; and

(C) in section 1591(d), by striking “20 years” and inserting “25 years”; and

(2) in section 2426—

(A) in subsection (a), by striking “twice” and inserting “3 times”;

(B) in subsection (b)(1)(B) by striking “paragraph (1)” and inserting “subparagraph (A)”;

(3) in subsection (2), by striking “(1) or (2)” and inserting “(1), (2), or (3)”; and

(4) in paragraph (4), as so redesignated, by striking “1 or 2” and inserting “(1), (2), or (3)”. 

SEC. 13. TARGETING ORGANIZED HUMAN TRAFFICKING PERPETRATORS.

Section 521(c) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) by redesigning paragraph (3) as paragraph (4);

(3) by inserting after paragraph (2) the following:

“(3) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and; and

(4) in paragraph (4), as so redesignated, by striking “1 or 2” and inserting “1, 2, or 3”.

SEC. 14. INVESTIGATING COMPLEX HUMAN TRAFFICKING NETWORKS.

Section 2516 of title 18, United States Code, is amended—

(1) in subsection (1)(c)—

(A) by inserting “section 1582 (vessels for slave trade), section 1583 (enticement into slavery), after section 1581 (peonage),”;

(B) by inserting “section 1585 (seizure, detention, transportation or sale of slaves), section 1586 (service on vessels in slave trade), section 1587 (possession of slaves aboard vessel), section 1588 (transportation of slaves from United States),” after “section 1581 (peonage),”;

(C) by inserting “section 1582 (vessels for slave trade), section 1583 (enticement into slavery), after section 1581 (peonage),”;

(D) by inserting “section 1582 (vessels for slave trade), section 1583 (enticement into slavery), after section 1581 (peonage),”;

(E) by striking “(1) in paragraph (2), by striking “and” at the end;

(F) by redesigning paragraph (3) as paragraph (4); and

(G) by inserting after paragraph (2) the following:

“(3) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and; and

(4) in paragraph (4), as so redesignated, by striking “1 or 2” and inserting “(1), (2), or (3)”.

SEC. 15. COMBATING SEX TOURISM.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “for the purpose” and inserting “with a motivating purpose”;

(2) in subsection (d), by striking “for the purpose of” and inserting “with a motivating purpose of engaging”.

SEC. 16. HUMAN TRAFFICKING JUSTICE COORDINATORS.

Section 606 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 1404hh) is amended—

(1) in subsection (b)(1)—

(A) by striking subparagraph (B); and

(B) by redesigning subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively;

(2) by adding at the end the following:

“(c) HUMAN TRAFFICKING JUSTICE COORDINATORS.—The Attorney General shall designate an official who shall coordinate and direct not less than 1 assistant United States attorney to serve as the Human Trafficking Coordinator for the district who, in addition to any other responsibilities, works with a human trafficking victim-witness specialist and shall be responsible for—

(1) implementing the National Strategic with respect to human trafficking; and

(h) ensuring the collection of data required to be collected under clause (vii) of section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)), as added by section 17 of the Abolish Human Trafficking Act of 2017, is sought;

(5) coordinating with other Federal agencies, State, tribal, and local law enforcement agencies, victim service providers, and other relevant non-governmental organizations to build partnerships on activities relating to human trafficking;

(6) ensuring the collection of restitution for victims is sought as required to be or- because the collection of restitution for victims is sought;

(7) in clause (vii), by striking “and” and inserting “3 times”;

(8) in section 608(a)(7)(A), by striking “six” and inserting “seven”;

(9) in section 608(a)(7)(B), by striking “the collection of restitution for victims is sought; and

(1) in section (h).

SEC. 16. HUMAN TRAFFICKING JUSTICE COORDINATORS.

Section 606 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 1404hh) is amended—

SEC. 17. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT HUMAN TRAFFICKING.

Section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)) is amended—

(a) REPORTING REQUIREMENT.—Section 105(d)(3) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended—

(1) by inserting “and” at the end; and

(2) by inserting “and reporting require-ments” after “Any data collection proce-dures”. 

(b) HOTLINE INFORMATION.—Section 107(b)(1)(B)(ii) of such Act (22 U.S.C. 7105(b)(1)(B)(ii)) is amended by adding at the end the following: “The number of the national human trafficking hotline described in this clause shall be posted in a visible place in all Federal buildings.”.

SEC. 21. ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY.

No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

(1) has the primary purpose of providing adult entertainment; and

(2) derives profits from the commercial sex trade.

SEC. 22. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) IN GENERAL.—Title VI of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 128 Stat. 243) is amended by adding at the end the following:
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(2) in subsection (b)—
(A) in paragraph (2)(C), by inserting after "personnel" the following: "; which shall in- clude participating in training for Homeland Security investigations and protections personnel conducted by Internet Crimes Against Children Task Forces"; and
(B) in paragraph (3)—
(i) in the matter preceding clause (i), by in- serting "in child exploitation investiga- tions after "Enforcement"; and
(ii) in clause (i), by inserting "child be- fore "victims"; and
(ii) in subparagraph (C), by inserting "child exploitation after "number of"; and
(iii) in subparagraph (D), by inserting "child exploitation after "number of"; and
(3) in subsection (c)—
(A) in subparagraph (A), in the matter pre- ceding clause (i), by inserting "and admin- ister the Digital Forensics and Document and Media Exploitation program after "forensics";
(B) in subparagraph (C), by inserting "and emerging technologies" after "forensics"; and
(C) in subparagraph (D), by striking "and the National Association to Protect Chil- dren" and inserting ", the National Associa- tion to Protect Children, and other govern- ment entities''.

(b) HERO CHILD-RESCUE CORPS.—Section 899A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—
(1) by redesignating subsection (c) as subsec- tion (g); and
(2) by inserting after subsection (d) the follow- ing:
"(e) HERO CHILD-RESCUE CORPS.—
"(1) ESTABLISHMENT.—
"(A) IN GENERAL.—There is established within the Department a Human Exploitation Rescue Operation Child-Rescue Corps Pro- gram (referred to in this section as the "HERO Child-Rescue Corps Program"), which shall be a Department-wide program, in col- laboration with the Department of Defense and the National Association to Protect Children.
"(B) PRIVATE SECTOR COLLABORATION.—As part of the HERO Child-Rescue Corps Pro- gram, the National Association to Protect Children shall provide logistical support for program participation.
"(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to re- cruit, train, equip, and employ members of the Armed Forces on active duty and wound- ed, ill, and injured veterans to combat and prevent child exploitation, including in in- vestigation, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.
"(3) FUNCTIONS.—The HERO Child-Rescue Program shall—
"(A) provide, recruit, train, and equip par- ticipants of the Program in the areas of di- gital forensics, investigation, analysis, intel- ligence and victim identification, as deter- mined by the Center and the needs of the De- partment; and
"(B) ensure that during the internship pe- riod, participants of the Program are as- signed to investigate and analyze—
"(i) child exploitation;
"(ii) child pornography;
"(iii) unidentified child victims;
"(iv) human trafficking;
"(v) traveling child sex offenders; and
"(vi) child labor, including the sex- ual exploitation of minors.
"(f) PAID INTERNSHIP AND HIRING PRO- GRAM.—
"(1) IN GENERAL.—The Secretary shall es- tablish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program (in this subsection referred to as "participants") into paid internship positions, for the subsequent appointment of the participants to perma- nent positions as described in the guidelines promulgated under paragraph (3).
"(2) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under paragraph (1), the Secre- tary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Fed- eral agency in accordance with the guide- lines promulgated under paragraph (3).
"(3) PLACEMENT.—
"(A) IN GENERAL.—The Secretary shall pro- mulgate guidelines governing or detailing participants to positions within United States Immigration and Customs Enforce- ment and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent ap- pointment of the participants to permanent positions.
"(B) PREFERENCE.—The Secretary shall give a preference to Homeland Security In- vestigations in assignments or details under the guidelines promulgated under subpara- graph (A).
"(4) TERM OF INTERNSHIP.—An appointment to an internship position under this sub- section shall be for a term not to exceed 12 months.
"(5) RATE AND TERM OF PAY.—After comple- tion of initial group training and upon begin- ning work at an assigned office, a partici- pant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—
"(A) not less than the minimum rate of basic pay payable for a position at level GS- 5 of the General Schedule; and
"(B) not more than the maximum rate of basic pay payable for a position at level GS- 7 of the General Schedule.
"(6) ELIGIBILITY.—In establishing the paid internship and hiring program required under paragraph (1), the Secretary shall en- sure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for a participation in the HERO Child-Rescue Corps Program.
"(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security In- vestigations positions, which shall be in addi- tion to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship program re- quired to be established under paragraph (1); and
(3) in subsection (c), as so redesignated—
(A) by striking "There are authorized" and inserting the following:
"(1) IN GENERAL.—There are authorized; and
(B) by adding at the end the following:
"(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2018 through 2022, not more than $10,000,000 shall be used to carry out subsection (e) and not less than $2,000,000 shall be used to carry out subsection (f).
"(c) TECHNICAL AND CONFORMING AMEND- MENT.—Section 362 of the HERO Act of 2015 (Public Law 114-22; 129 Stat. 255) is amended—
(1) by striking subsection (c); and
(2) by redesignating subsection (d) as sub- section (c).
AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk reads as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Abolish Human Trafficking Act of 2017".

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

Sec. 1. Short title; table of contents.
Sec. 2. Preserving Domestic Trafficking Vici- tims’ Fund.
Sec. 3. Mandatory restitution for victims of commercial sexual exploi- tation.
Sec. 4. Victim-witness assistance in sexual exploitation cases.
Sec. 5. Victim protection training for the Department of Homeland Secu- rity.
Sec. 6. Direct services for child victims of human trafficking.
Sec. 7. Holistic training for Federal law en- forcement officers and prosecu- tors.
Sec. 8. Best practices in delivering justice for victims of trafficking.
Sec. 9. Improving the national strategy to combat human trafficking.
Sec. 10. Specialized human trafficking train- ing and technical assistance for service providers.
Sec. 11. Enhanced penalties for human traf- ficking, child exploitation, and repeat offenders.
Sec. 12. Targeting organized human traf- ficking perpetrators.
Sec. 15. Human Trafficking Justice Coordi- nators.
Sec. 16. Interagency Task Force to Monitor and Combat Human Traf- ficking.
Sec. 17. Additional reporting on crime.
Sec. 18. Strengthening the national human trafficking hotline.
Sec. 19. Ending Government partnerships with the commercial sex indus- try.
Sec. 20. Understanding the effects of severe forms of trafficking in persons.
Sec. 21. Combating trafficking in persons.
Sec. 22. Grant accountability.
Sec. 23. HERO Act improvements.

SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS’ FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Vici- tims’ Fund established under section 3014 of title 18, United States Code—
(1) is intended to supplement, and not sup- plant, any other funding for domestic traf- ficking victims; and
(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.

(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—
(1) in subsection (a), in the matter pre- ceeding paragraph (1), by striking "September 30, 2019" and inserting "September 30, 2021"; and
(2) in subsection (e)(1), in the matter pre- ceeding subparagraph (A), by striking "2019" and inserting "2023";

(3) in subsection (f), by inserting ", includ- ing the mandatory payment of civil reme- dies for satisfaction of an unpaid fine as au- thorized under section 3613, where appro- priate" after "criminal cases"; and
(4) in subsection (g), by inserting "and child victims of a severe form of trafficking (as defined in section 108 of the Victims of

The SPEAKER pro tempore. The Clerk will report the amendment.

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION.

(a) AMENDMENT.—Chapter 110 of title 18, United States Code, is amended by adding at the end the following:

"§ 2429. Mandatory restitution

"(a) Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalties authorized by law, the court shall order restitution for any offense under this chapter.

"(b)(1) The order of restitution under this section shall be issued by the court of the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3), and shall additionally require the defendant to pay the greater of the gross income or value to the defendant of the victim's services, if the services constitute commercial sexual acts as defined under section 1591.

"(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order of restitution under section 3663A.

"(3) As used in this subsection, the term 'full amount of the victim's losses' has the same meaning as provided in section 2252(c)(3).

"(c) The forfeiture of property under this section shall be governed by the provisions of section 2254 and subchapter II of chapter 77 of title 18, United States Code.

"(d) As used in this section, the term 'victim' means the individual harmed as a result of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.

"(b) TABLE OF SECTIONS.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 1101 the following:

"2429. Mandatory restitution.

SEC. 4. VICTIM WITNESS ASSISTANCE IN SEXUAL EXPLOITATION CASES.

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting after "chapter 110 of title 18", "United States Code, is amended by inserting after the item relating to section 1101 the following:

"§ 2429. Mandatory restitution.

(b) AMENDMENT TO SECTION 524.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting after the item relating to chapter 110 of title 18, "United States Code, is amended by inserting after the item relating to section 1101 the following:

"§ 2429. Mandatory restitution.

SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title XIX of the Justice for Victims of Trafficking Act of 2015 (6 U.S.C. 641 et seq.) is amended by adding at the end the following:

"§ 906. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

"(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFICIALS AND TASK FORCES.—

"(1) In general.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue a directive to—

"(A) all Federal law enforcement officials and relevant personnel employed by the Department who may be in the investigation of human trafficking offenses; and

"(B) members of all task forces led by the Department that participate in the investigation of human trafficking offenses.

"(2) REQUIRED INSTRUCTIONS.—The directive required to be issued under paragraph (1) shall include instructions on—

"(A) the investigation of individuals who patronize or solicit human trafficking victims as being engaged in severe trafficking in persons and how such individuals should be investigated for their roles in severe trafficking in persons; and

"(B) how victims of sex or labor trafficking often engage in a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

"(b) VICTIM SCREENING PROTOCOL.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department is involved.

"(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

"(A) require the screening of all adults and children who are suspected of engaging in commercial sex acts, child labor that is a violation of law, or work in violation of labor standards to determine whether such an individual is a victim of human trafficking;

"(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

"(C) be developed in consultation with relevant interest partners and nongovernmental organizations that specialize in the prevention of human trafficking or in the identification and support of victims of human trafficking and survivors of human trafficking;

"(D) include—

"(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

"(ii) guidelines on assisting victims of human trafficking in identifying and receiving restorative services.

"(c) MANDATORY TRAINING.—The training described in section 1101(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–12; 128 Stat. 228) shall include a directive that civil liens are an authorized form of collectible assets under section 3663 of title 18, United States Code, and is a party to a human trafficking offense; and

"(d) clarifying that commercial sexual exploitation is a form of gender-based violence.

SEC. 6. DIRECTIVE TO SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 2093(b)) is amended by adding at the end the following:

"(1) In the heading, by striking "VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND" before "VICTIMS OF CHILD POR-

"(2) by inserting "victims of a severe form of trafficking (as defined in section 101 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) as a party to a human trafficking offense; and

"(A) a State or unit of local government; and

"(B) a federally recognized Indian tribe or tribal organization." after "VICTIMS OF CHILD POR-

"(c) VICTIM ASSISTANCE FOR SERVICE PROVIDERS.—

"(1) by striking "historically localized medical provider service providers" and inserting "providers of specialized human trafficking and technical assistance for service providers"; and

"(2) by inserting "VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND" before "VICTIMS OF CHILD POR-

"(d) by inserting "the following:

"(A) a State or unit of local government; and

"(B) a federally recognized Indian tribe or tribal organization." after "VICTIMS OF CHILD POR-

"(C) a victim service provider;
“(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization); 
“(E) a national organization; or 
“(F) an institution of higher education (including tribal institutions of higher education);”; 
(3) by striking subsection (b) and inserting the following: 
“(b) GRANTS AUTHORIZED.—The Attorney General may award grants to eligible entities to— 
“(1) provide training to identify and 
proTECT victims of trafficking; 
“(2) improve the quality and quantity of services offered to trafficking survivors; and 
“(3) improve victim service providers’ partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities.”; and 
(4) in subsection (c)— 
(A) in paragraph (2), by striking “or” at the end; 
(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and 
(C) by inserting after paragraph (3) the following: 
“(4) providing technical assistance on the range of services available to victim service providers who serve trafficking victims; 
“(5) develop and distribute materials, including training materials, identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims; 
“(6) conduct outreach and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers; 
“(7) provide training at relevant conferences, through webinars, or through other mechanisms in accordance with Federal law; or 
“(8) assist service providers in developing additional resources such as partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.”. 
(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2560) is amended by striking the item relating to section 111 and inserting the following: 
“Sec. 111. Grants for specialized human trafficking training and technical assistance for service providers.”. 
SEC. 11. ENHANCED PENALTIES FOR HUMAN TRAFFICKING, CHILD EXPLOITATION, AND ROTAL OFFENDERS. 
Part I of title 18, United States Code, is amended— 
(1) in chapter 77— 
(A) in section 1583(a), in the flush text following paragraph (3), by striking “not more than 20 years” and inserting “not more than 30 years”; 
(B) in section 1587, by striking “four years” and inserting “ten years”; and 
(C) in section 1591(d), by striking “20 years” and inserting “25 years”; and 
(2) in section 2426— 
(A) in subsection (a), by striking “twice” and inserting “three times”; and 
(B) in subsection (b)(1)(B) by striking paragraph (1) and inserting “subsection (A)”. 
SEC. 12. TARGETING ORGANIZED HUMAN TRAFFICKING AND PROSTITUTION. 
Section 521(c) of title 18, United States Code, is amended— 
(1) in paragraph (2), by striking “and” at the end; and 
(2) by redesignating paragraph (3) as paragraph (4); 
(3) by inserting after paragraph (2) the following: 
“(4) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or other conduct constituting or with a motivating purpose of engaging”.

“(d) DEPARTMENT OF JUSTICE COORDINATOR.—Not later than 60 days after the date of enactment of the Abolish Human Trafficking Act of 2017, the Attorney General shall designate a representative to coordinate human trafficking efforts within the Department of Justice who, in addition to any other responsibilities, shall be responsible for— 
“(1) coordinating, promoting, and sup-
porting the work of the Department of Just-
ice relating to human trafficking, including investigation, prosecution, training, outreach, victim support, grant-making, and policy activities; 
“(2) in consultation with survivors of human trafficking, or anti-human traff-
icking organizations, producing and dis-
seminating, including making publicly avail-
able when appropriate, replication guides and training materials for law enforcement officers, prosecutors, judges, emergency respon-
siders, individuals working in victim serv-
ices, adult and child protective services, so-
cial services, and public safety, medical per-
sonnel, mental health personnel, financial 
services personnel, and any other individuals whose work may bring them in contact with human trafficking cases, including in admin-
istrative, civil, and criminal judicial pro-
cceedings; and 
“(3) carrying out such other duties as the Attorney General determines necessary in connection with enhancing the understanding, prevention, and detection of, and response to, human trafficking.”. 
SEC. 16. INTEGRITY BASE FORCE TO MON-
ITOR AND COMBAT HUMAN TRAF-
ICKING. 
Section 103(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)) is amended— 
(1) in clause (vi), by striking “and” at the end; and 
(2) by adding at the end the following: 
“(viii) the number of convictions obtained under chapter 77 of title 18, United States Code, aggregated separately by the form of offense committed with respect to the victim, including recruiting, enticing, harboring, transporting, providing, obtaining, acquiring, maintaining, or soliciting a human trafficking victim; and”. 
SEC. 17. ADDITIONAL REPORTING ON CRIME. 
Section 237(b) of the William Wilberforce Trafficking Victims Protection Reauthoriza-
tion Act of 2008 (29 U.S.C. 534 note) is amended— 
(1) in paragraph (2), by striking “and” at the end; 
(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and 
(3) by adding at the end the following: 
“(4) incidents of assisting or promoting prostitution, child labor that is a violation of law, or forced labor of an individual under the age of 18 as described in paragraph (1); and 
“(5) incidents of purchasing or soliciting commercial sex acts, child labor that is a violation of law, or forced labor with an individual under the age of 18 as described in paragraph (2).”.
No Federal funds or resources may be used for the operation of participation in partnership with any program that involves the provision of funding or resources to an organization that—

(1) has a primary purpose of providing adult entertainment; and

(2) derives profits from the commercial sex trade.

SEC. 20. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) In General.—Title VI of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 258) is amended by adding at the end the following:

"SEC. 607. UNDERSTANDING THE PHYSICAL AND PSYCHOLOGICAL EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

"(a) IN GENERAL.—The National Institute of Justice and the Centers for Disease Control and Prevention shall jointly conduct a study on the short-term and long-term physical and psychological effects of serious harm (as that term is defined in section 1509(c)(2) and section 1509(e)(4) of title 18, United States Code, as amended by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457; 122 Stat. 5044)) in order to determine the most effective types of services for individuals who are identified as victims of these crimes, including victims in cases that were not investigated or prosecuted by any law enforcement agency, and how the current treatment and programming options should be tailored to address the unique needs and barriers associated with these victims.

"(b) Report.—Not later than 3 years after the date of enactment of the Abolish Human Trafficking Act of 2017, the National Institute of Justice and the Centers for Disease Control and Prevention shall make available to the public the results, including any associated recommendations, of the study conducted under subsection (a).

(b) Table of Contents Amendment.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 227) is amended by inserting after the item relating to section 606 the following:

"Sec. 607. Understanding the physical and psychological effects of severe forms of trafficking in persons.

SEC. 21. COMBATING TRAFFICKING IN PERSONS.

Section 107(b)(1)(B)(ii) of such Act (22 U.S.C. 7105(b)(1)(B)(ii)) is amended by adding at the end following:

"(iii) by striking paragraph (2) and inserting "(ii) in subsection (a) —

SEC. 22. GRANT ACCOUNTABILITY.

(a) Definitions.—In this section—

(1) the term ‘‘covered agency’’ means an agency authorized to award grants under this Act;

(2) the term ‘‘covered grant’’ means a grant authorized to be awarded under this Act; and

(3) the term ‘‘covered official’’ means the head of a covered agency.

(b) Accountability.—All covered grants shall be subject to the following accountability provisions:

(1) Audit Requirement.—(A) Definition.—In this paragraph, the term ‘‘unsolved audit finding’’ means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized funds under a covered grant for an unauthorized expenditure or otherwise allowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) Audits.—Beginning in the first fiscal year following the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall report to Congress on all unresolved audit findings during the 12 fiscal years that preceded submitting an application for the covered grant.

(2) Priorities.—In awarding covered grants, a covered official shall give priority to applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for the covered grant.

(3) Reimbursement.—If an entity is awarded funds under a covered grant during the 2 fiscal-year period during which the entity is barred from receiving covered grants under subparagraph (C), a covered official shall—

(A) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the United States;

(B) recover the costs of the repayment from the grantee; and

(C) disclose to the applicable covered official, in the application for the covered grant, the "covered grants" excluded under paragraph (1).

(4) Annual Certification.—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the appropriate committees of Congress an annual certification—

(A) indicating whether—

(i) all audits issued by the Office of the Inspector General of the applicable covered agency under paragraph (1) have been completed and reviewed by the appropriate official;

(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

(iii) all reimbursements required under paragraph (1)(E) have been made; and

(B) that includes a list of all duplicative grants of a covered grant excluded under paragraph (1) from the previous year.

(c) Preventing Duplicative Grants.—(1) In General.—Before a covered official awards a covered grant, the covered official shall compare potential awards under the covered grant program with other covered grants awarded to determine if duplicate grant awards are awarded for the same purpose.

(2) Report.—If a covered official awards duplicate covered grants to the same applicant for the same purpose the covered official shall submit to the appropriate committees of Congress a report that includes—

(A) a list of all duplicate covered grants awarded, including the total dollar amount of any duplicate covered grants awarded; and

(B) the reason the covered official awarded the duplicate covered grants.

SEC. 23. HERO ACT IMPROVEMENTS.

(a) In General.—Section 800A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "Home- land Security Investigations," after "Cus- toms Enforcement;"; and

(B) by striking paragraph (2) and inserting the following:

"(2) The Center shall provide inves- tigative assistance, training, and equip- ment to support domestic and international..."
investigations of cyber-related crimes by the Department.

(2) in subsection (b)—

(A) in paragraph (2)(C), by inserting after “defense”—

“(vi) forced child labor, including the sex-

(B) in paragraph (3)—

(I) in the matter preceding clause (i), by in-

(ii) child pornography;

(iii) unidentified child victims;

(iv) human trafficking;

(v) traveling child sex offenders; and

(vi) forced child labor, including the sex-

(2) PAID INTERNSHIP AND HIRING PRO-

(1) IN GENERAL.—The Secretary shall es-

(2) INTERNSHIP POSITIONS.—Under the paid

(3) PLACEMENT.—

(A) IN GENERAL.—The Secretary shall pro-

(a) short title; table of contents.

1. short title; table of contents.

(b) table of contents.—The table of con-

(c) technical and conforming amend-

(iii) in subparagraph (D), by inserting

(ii) in the matter preceding clause (i), by in-

(c) in subsection (c)(2)—

(ii) in subparagraph (B)—

(i) in subparagraph (A)—

Title V—Training and Technical Assistance

(iii) in paragraph (2)(C), by inserting after

(ii) in paragraph (2)(A), by inserting after

(A) in section (e)(1), by inserting “the National

(2) IN GENERAL.—The Secretary shall estab-

(3) FUNCTIONS.—The HERO Child-Rescue Pro-

(1) in paragraph (2)(A), by inserting “the National

(2) Allocati—Of the amount made

(7) HERO CORPS HIRING.—The Secretary

(5) rate and term of pay.—After comple-

2. forensics.

3. emerging technologies.

4. victim identification.

5. child exploitation investigations.
Sec. 504. Training of tribal law enforcement and prosecutorial personnel.

TITLE I—ACCOUNTABILITY

Sec. 601. Grant accountability.

TITLE VII—PUBLIC-PRIVATE PARTNER- SHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Public-Private Partnership Advisory Council to End Human Trafficking.
Sec. 704. Reports.
Sec. 705. Sunset.

SEC. 2. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The crime of human trafficking involves the exploitation of adults through force, fraud, or coercion, and children for such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Each year, thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) More accurate and comprehensive data on the prevalence of human trafficking is needed to properly combat this form of modern slavery in the United States.

(5) Victims of human trafficking can include men, women, and children who are diverse with respect to race, ethnicity, and national origin.

(6) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities and the number of their victims.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.

Section 1701(b)(12) of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by inserting "including, the training of school resource officers in the prevention of human trafficking offenses" before the semicolon at the end.

SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 41201(f) of the Violence Against Women Act of 1994 (42 U.S.C. 1409(c)) is amended by striking "2014 through 2018" and inserting "2019 through 2022".

TITLE II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after section 1955 the following:

"§ 1595A. Civil injunctions

"(a) In General.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a violation of this chapter, chapter 110, or chapter 117, or a conspiracy under section 371, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin breaches of this chapter.

"(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

"(c) PROCEDURE.—

"(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

"(2) SEALED PROCEEDING.—If a civil action is brought under subsection (a) before an indictment is returned against the respondent or while an indictment against the respondent is under seal:

"(A) the court shall place the civil action under seal; and

"(B) when the indictment is unsealed, the court shall unseal the civil action unless good cause exists to keep the civil action under seal.

"(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.

(b) TECHNICAL AND NONTECHNICAL AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1595 the following:

"1595A. Civil injunctions.".

SEC. 202. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;'';

(2) by striking paragraphs (4) and (5); and

(3) in paragraph (6) by inserting", including child sex trafficking and sextortion", after ‘‘exploitation’’;

(4) in paragraph (8) by adding ‘‘and’’ at the end;

(5) by striking paragraph (9); and

(6) by adding at the end the following:

"(10) a key component of such programs is the National Center for Missing and Exploited Children that—

"(A) serves as a nonprofit, national resource center and clearinghouse to provide assistance to victims, families, child-serving professionals, and the general public;

"(B) works with the Department of Justice, the Federal Bureau of Investigation, and the United States Marshals Service, the Department of the Treasury, the Department of State, U.S. Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization; and

"(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands to transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and corporate partners across the United States and around the world instantly;''; and

(7) by redesigning paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.

(b) DEFINITIONS.—Section 402 of the Missing Children’s Assistance Act (42 U.S.C. 5772) is amended—

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

"(1) the term ‘missing child’ means any individual less than 18 years of age whose whereabouts are unknown to such individual’s parent;'’;

(2) in paragraph (2) by striking ‘‘and’’ at the end;

(3) in paragraph (3) by striking the period at the end and inserting ‘‘; and’’;

(4) by adding at the end the following:

"(4) the term ‘parent’ includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child.’’.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children’s Assistance Act (42 U.S.C. 5773) is amended—

(1) in subsection (a) (A) in paragraph (3) by striking ‘‘telephone line’’ and inserting ‘‘hotline’’; and

(2) in paragraph (6)(E) (B) by striking ‘‘telephone line’’ and inserting ‘‘hotline’’;

(3) in paragraph (6)(E) (B) by striking ‘‘(b)(1)(A)’’ and inserting ‘‘(b)(1)(A)’’;

(4) in paragraph (6)(E) (B) by inserting ‘‘(10)’’ after the semicolon at the end; and

(5) by redesigning paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.
children by searching public records databases to help in the identification, location, and recovery of such children, and help in the location and identification of potential abductors and offenders;

(K) provide forensic and direct on-site technical assistance and consultation to families, law enforcement agencies, child-serving professionals, and nongovernmental organizations in child abduction and exploitation cases, including facial reconstruction of skeletal remains and similar techniques to positively identify unidentified deceased children;

(F) by striking subparagraphs (L) and (M);

(G) by amending subparagraph (N) to read as follows:

(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;

(H) by striking subparagraph (P);

(I) by amending subparagraph (Q) to read as follows:

(Q) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and local governments to identify children who are reported to the grantee as victims of family abductions; and

(j) by striking paragraph (i), (j), (k), (n), (o), (q), (s), (t), (u), and (v) as amended by this subsection, as subparagraphs (E) through (O), respectively.

(d) GRANTS.—Section 405 of the Missing Children’s Assistance Act (42 U.S.C. 5775) is amended—

(1) in subsection (a)—

(A) in paragraph (7) by striking “(as defined in section 5631(A))” and “(D),” and inserting “(C),”;

(B) in subparagraph (A) by striking “legal custodians” and inserting “parents”; and

(ii) by striking “custodians” and inserting “parents”;

and

(2) in subsection (b)(1)(A) by striking “legal custodians” and inserting “parents”;

(e) REPORTING.—The Missing Children’s Assistance Act (42 U.S.C. 5771 et seq.) is amended—

(1) by redesignating sections 407 and 408 as sections 408 and 409, respectively; and

(2) by inserting after section 406 the following:

SEC. 407. REPORTING.

(a) REQUIRED REPORTING.—As a condition of receiving funds under section 406(b), the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

(1) the number of children nationwide who are reported as missing;

(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

(4) the number of missing children recovered nationwide whose recovery was reported to the grantee.

(b) INCLUSION OF ATTEMPTED CHILD ABDUCTIONS.—As a condition of receiving funds under section 406(b), the grant recipient shall—

(1) track the incidence of attempted child abductions in order to identify links and patterns;

(2) provide such information to law enforcement agencies; and

(3) make such information available to the general public, as appropriate.

SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.

Section 205 of title 18, United States Code, is amended—

(1) by inserting “in conjunction with an investigation” after “local law enforcement agency”;

and

(2) by striking “in support of any investigation involving missing or exploited children”.

TITLE III—SERVICES FOR TRAFFICKING SURVIVORS

SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—Subtitle D of the Trafficking Victims Protection Act of 2000 (42 U.S.C. 7101 et seq.) is amended—

(1) in the subsections that are numbered 102 through 109, by striking “2014 through 2017” and inserting “2018 through 2021”;

and

(b) ANNUAL TRAFFICKING CONFERENCE.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404(c)(2)) is amended by striking “2017” and inserting “2021”.

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404(e)) is amended by striking “2017” and inserting “2021”.

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1252c(c)(6)(F)) is amended—

(1) in the matter preceding clause (i), by striking “Secretary and Human Services” and inserting “Secretary of Health and Human Services”;

and

(2) in clause (i), by striking “the fiscal years 2016 and 2017” and inserting “fiscal years 2018 through 2021”.

(e) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPIRED PROVISION.—(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 1404(a)) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 124(b)(1) of the Violence Against Women Reauthorization Act of 2013 (42 U.S.C. 1404(a)) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(f) REAUTHORIZATION.—Section 302(1) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended by striking “2014 through 2017” and inserting “2018 through 2021”.

SEC. 302. ESTABLISHMENT OF OFFICE OF VICTIM ASSISTANCE.

(a) TECHNICAL AMENDMENTS.—Subtitle D of title 18, United States Code, is amended—

(i) in section 3122—

(A) by striking “‘bureau’ each place such term appears, except in subsection (a)(1), and inserting “agency”;

(B) by striking “the Bureau of Border Security” each place such term appears and inserting “U.S. Immigration and Customs Enforcement”;

and

(C) in the section heading, by striking “BU- REAU OF BORDER SECURITY” and inserting “U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT”;

(ii) in paragraph (1), by striking “‘bureau’ each place such term appears, except in subsection (a)(1), and inserting “agency”;

(B) by striking “the Bureau of Border Security” each place such term appears and inserting “U.S. Immigration and Customs Enforcement”;

and

(C) in the section heading, by striking “BU- REAU OF BORDER SECURITY” and inserting “U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT”;

and

(iii) by redesignating paragraphs (A), (B), and (C) as paragraphs (B), (C), and (D), respectively.

(b) INCREASED VICTIM ASSISTANCE.—(i) in paragraph (1), by striking “by the Office of the International and Immigration” and inserting “by the Office of Victims Services and Immigration”;

(ii) in subsection (a), by striking “by the Office of Victims Services and Immigration” and inserting “by the Office of the International”;

(iii) by striking “Each grantee” and inserting “Each Bureau”;

and

(iv) by striking “‘Office of the International’” and inserting “‘Office of Foreign Victims Services’.”

(c) REAUTHORIZATION.—Section 302 of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by the preceding paragraph, is amended by striking “2014 through 2017” and inserting “2018 through 2021”.

SEC. 303. AUTOMATIC INCREASES FOR VICTIM ASSISTANCE AND SERVICES.

(a) IN GENERAL.—Section 442—

(1) in the matter preceding subparagraph (a) by striking “2014 through 2017” and inserting “2018 through 2021”;

and

(b) INCREASED VICTIM ASSISTANCE.—(1) in paragraph (1), by striking “fully funded” and inserting “fully funded”; and

(2) in subsection (b), by striking “Each” and inserting “Each”;

and

(c) AUTHORIZATION OF APPROPRIATIONS.—(1) in the matter preceding paragraph (a), by striking “the Bureau of Border Security” and inserting “U.S. Immigration and Customs Enforcement”;

and

(2) in subparagraph (A), by striking “the Bureau of” and inserting “Citizenship and Immigration Services”.
(2) in section 443(2), by striking ‘‘such bureau’’ and inserting ‘‘such agency’’.

(b) FORMALIZATION OF OFFICE OF VICTIM ASSISTANCE.—Section 442 of the Homeland Security Act of 2002 (42 U.S.C. 7105(b)(2)) is amended by adding at the end the following:

‘‘(d) OFFICE OF VICTIM ASSISTANCE.—

‘‘(1) There is established in Homeland Security Investigations of U.S. Immigration and Customs Enforcement the Office of Victim Assistance.

‘‘(2) Purpose.—The purpose of the Office of Victim Assistance shall be—

(A) to provide national oversight to ensure that all employees of the U.S. Immigration and Customs Enforcement comply with all applicable Federal laws and policies concerning victims’ rights, access to information, advisement of legal rights, just and fair treatment of victims, and respect for victims’ privacy and dignity;

(B) to oversee and support specially trained victim assistance personnel through guidance, training, travel, technical assistance, and equipment to support Homeland Security Investigations in domestic and international investigations with a potential or identified victim or witness.

‘‘(3) FUNCTIONS.—The Office of Victim Assistance shall—

(A) and provide guidance, training, travel, technical assistance, equipment, emergency funding for urgent victim needs as identified, and coordination of victim assistance throughout Homeland Security Investigations to provide potential and identified victims and witnesses with access to the rights and services to which they are entitled by law;

(B) provide training throughout the U.S. Immigration and Customs Enforcement on victim-related policies, issues, roles of victim assistance personnel, and the victim-centered approach in investigations;

(C) provide victim assistance specialists to assess, provide referrals for comprehensive assistance, and work with special agents to integrate victim assistance considerations throughout the investigation and judicial processes, as needed, by locating such specialists—

(i) where there is a human trafficking task force in which Homeland Security Investigations participates;

(ii) where there is a task force targeting child sexual exploitation in which Homeland Security Investigations participates; and

(iii) Homeland Security Investigations Special Agent in Charge Office to address victims of other Federal crimes, such as telemarketing fraud, which Homeland Security Investigations participates;

(D) provide forensic interview specialists in each Homeland Security Investigations Special Agent in Charge Office to conduct victim-centered and legally sufficient fact finding forensic interviews, both domestically and internationally;

(E) provide case consultation, operational planning, recommendations, and training to special agents regarding all issues related to victims and witnesses of all ages;

(F) provide victim-related policies for Homeland Security Investigations, including policies related to human trafficking, child sexual exploitation, and other Federal crimes investigated by Homeland Security Investigations; and

(G) collaborate with other Federal, State, local, and tribal governmental, nongovernmental, and nontaxable entities regarding policy, outreach, and training activities.

‘‘(4) DATA COLLECTION.—The Office of Victim Assistance shall collect and maintain data that protect the confidentiality of the data and omits personally identifying information and subject to other Federal laws regarding victim confidentiality, including—

(A) the sex and race of the victim;

(B) each alleged crime that the victim was a victim of, including the case of human trafficking, each purpose for which the victim was trafficked, such as commercial sex or forced labor; and

(C) whether the victim was an adult or a minor child.

‘‘(5) AVAILABILITY OF DATA TO CONGRESS.—The Office of Victim Assistance shall make the data collected and maintained under subparagraph (4) available to the committees of Congress set forth in section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(d)(7)) is amended—

(1) in subparagraph (Q)(vii), by striking ‘‘and’’ at the end;

(2) in subparagraph (R), by striking the period at the end and inserting ‘‘and’’; and

(3) by adding at the end the following:

‘‘(8) the data collected by Homeland Security Investigations of U.S. Immigration and Customs Enforcement pursuant to paragraph (4) of the Homeland Security Act of 2002.’’.

(c) REPORTING REQUIREMENT.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(d)(7)) is amended by striking the item relating to section 412 and inserting the following:

‘‘Sec. 442. Establishment of U.S. Immigration and Customs Enforcement.’’.

SEC. 303. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B), by striking ‘‘and’’ and inserting ‘‘; and’’; and

(2) by adding at the end the following:

‘‘(D) INNOCENCE LOST NATIONAL INITIATIVE.—

(I) the purpose described in paragraph (i), the Director may use not more than the duration of the grant received than the duration of the grant received less than October 1, 2018, the Attorney General may use not more than the duration of the grant received of any period that is longer than the duration of the grant received under this paragraph.’’.

SEC. 304. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107A (22 U.S.C. 7105a) the following:

‘‘SEC. 107B. IMPROVING DOMESTIC VICTIM SERVICES.

(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall compile and disseminate, to all grantee who are awarded grants to provide victims’ services under subsection (b) or (f) of section 107, information about reliable and appropriate methods of identification of victims of human trafficking.

(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General, through the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims and shall encourage grantees receiving a grant to provide victim services to youth under subsection (b) or (f) of section 107.

(c) AMENDMENT TO TITLE 18.—Section 1593A of title 18, United States Code, is amended by striking ‘‘section 1581(a), 1592, or 1595(a)’’ and inserting ‘‘this chapter’’.

SEC. 305. IMPROVING VICTIM SERVICES.

Section 1402(d)(3) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(3)) is amended by adding at the end the following:

‘‘(O)(i) The Director may use not more that the duration of the grant received of the period at the end and inserting ‘‘and’’; and

(ii) in subparagraph (Q)(viii), by striking ‘‘section 1581(a), 1592, or 1595(a)’’ and inserting ‘‘this chapter’’.

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the efforts of the National Institute of Justice to develop a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit a report to the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years:

(I) the number of human traffickers who were arrested, disaggregated by—
(A) the number of individuals arrested for patronizing or soliciting an adult;  
(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;  
(C) the number of individuals arrested for patronizing or soliciting a minor; and  
(D) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining a minor;  
(2) the number of adults who were arrested on charges of prostitution;  
(3) the number of minor victims who were identified;  
(4) the number of minor victims who were arrested and formally petitioned by a juvenile or adult victim charged; and  
(5) the placement of and social services provided to each such minor victim as part of each state operation. 

(c) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING. 
Section 732(c) of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) is amended—  
(1) in subsection (b), by striking “in the form of annual Uniform Crime Reports for the United States” and inserting “not less than once every 2 years”; and  
(2) by adding at the end the following:  
“(4) INTERAGENCY COORDINATION.—  
“(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under this paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).  
“(B) FOR REPORT.—Not later than 6 months after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).  

(5) ANNUAL REPORT BY FEDERAL BUREAU OF INVESTIGATION.—Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with this paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and whether each department or agency is in compliance with paragraph (2).”

SEC. 403. HUMAN TRAFFICKING ASSESSMENT. 
Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Executive Associate Director of Homeland Security Investigations shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on human trafficking investigations conducted by Homeland Security Investigations that includes—  
(1) the number of confirmed human trafficking investigations by category, including labor trafficking, sex trafficking, and transnational and domestic human trafficking;  
(2) the number of victims by category, including—  
(A) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and  
(B) whether the victim is a minor or an adult; and  
(3) an analysis of the data described in paragraphs (1) and (2) and other data available to Homeland Security Investigations that indicates any general human trafficking or investigatory trends.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

SEC. 501. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL PERSONNEL. 
(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but not less frequently than annually, improve the curriculum for training law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims. 
(b) ADVANCED TRAINING CURRICULUM.—  
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—  
(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;  
(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or procures a minor for commercial sex acts from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to labor exploitation that may be in violation of United States Code, and is a party to a human trafficking offense; and  
(C) explains that—  
(i) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and  
(ii) such individuals are victims of a crime, such as, or who have served as, investigators in a Federal agency and who have expertise in identifying victims and investigating human trafficking cases.  
(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—  
(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking; and  
(B) require affirmative measures to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization;  

(3) TRAINING COMPONENTS.—Section 107(c)(4)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)(B)) is amended—  
(1) in clause (i), by striking “and” at the end;  
(2) in clause (ii), by striking the period at the end and inserting “;” and; and  
(3) by adding at the end the following:  
“(iv) a discussion clarifying that an individual who knowingly solicits or procures a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense.”

SEC. 502. VICTIM SCREENING TRAINING. 
Section 114 of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g) is amended—  
(1) in subsection (c)(1)(A)  
(A) in clause (i), by striking the “and” at the end;  
(B) in clause (ii), by striking the period at the end and inserting a semicolon; and  
(C) by adding at the end the following:  
“(ii) guidelines on assisting victims of trafficking to receive training on enforcement of criminal laws necessary to complete the first response to and the investigation of human trafficking;”

(2) by adding at the end the following:  
“(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—  
“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this sub-section, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.  
“(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—  
(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking;  
(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;  
(C) require all Federal law enforcement officers and relevant department personnel who participate in human trafficking investigations to receive training on enforcement of the protocol;  
(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specializes in the identification, prevention, and investigation of human trafficking; and  
(E) include measures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and  

includes guidelines on assisting victims of human trafficking in identifying and receiving victim services.”
TITLE VII—PUBLIC-PRIVATE PARTNER-
force, fraud, or coercion, and children for such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) Reforms that are needed to address trafficking include men, women, and children who are diverse with respect to race, ethnicity, and nationality, among other factors.

(5) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106–386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities and the number of their victims.

b) Sense of Congress.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLe I—FREDERICK DOUGLASS

TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING FOR SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.


SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by amending—

(a) IN GENERAL.—Whenever it shall appear—

(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;

(2) by striking paragraphs (4), (5), (6), and (7), respectively.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLe II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after ‘‘§ 1505A. Civil injunctions’’ the following:

‘‘§ 1505A. Civil injunctions

‘‘(a) IN GENERAL.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a violation of this chapter, chapter 110, or chapter 117, or a conspiracy under section 371 to commit a violation of this chapter, chapter 110, or chapter 117, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

‘‘(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

‘‘(c) PROCEDURE.—

‘‘(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

‘‘(2) SEALED PROCEEDINGS.—If a civil action is brought under subsection (a) before an indictment is pending against the respondent or while an indictment against the respondent is under seal—

SEC. 202. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children’s Assistance Act (42 U.S.C. 5771) is amended—

(1) by amending paragraph (1) to read as follows:

‘‘(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;

(2) by striking paragraphs (4), (5), (6), and (7), respectively.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLe I—FREDERICK DOUGLASS

TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING FOR SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.


SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by amending—

(a) IN GENERAL.—Whenever it shall appear—

(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;

(2) by striking paragraphs (4), (5), (6), and (7), respectively.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLe II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after ‘‘§ 1505A. Civil injunctions’’ the following:

‘‘§ 1505A. Civil injunctions

‘‘(a) IN GENERAL.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a violation of this chapter, chapter 110, or chapter 117, or a conspiracy under section 371 to commit a violation of this chapter, chapter 110, or chapter 117, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

‘‘(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

‘‘(c) PROCEDURE.—

‘‘(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

‘‘(2) SEALED PROCEEDINGS.—If a civil action is brought under subsection (a) before an indictment is pending against the respondent or while an indictment against the respondent is under seal—

SEC. 202. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children’s Assistance Act (42 U.S.C. 5771) is amended—

(1) by amending paragraph (1) to read as follows:

‘‘(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;

(2) by striking paragraphs (4), (5), (6), and (7), respectively.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLe I—FREDERICK DOUGLASS

TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING FOR SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.


SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by amending—

(a) IN GENERAL.—Whenever it shall appear—

(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;

(2) by striking paragraphs (4), (5), (6), and (7), respectively.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.
“(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying such individuals;”;

(H) by striking subparagraph (P);

(I) by amending subparagraph (Q) to read as follows:

“(Q) Work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and others to develop methods to reduce the existence and distribution of online images and videos of sexually exploited children—

“(i) in a child's line to—

“(1) provide to individuals and electronic service providers an effective means of reporting Internet-related and other instances of child sexual exploitation in the areas of—

“(aa) possession, manufacture, and distribution of child pornography;

“(bb) online enticement of children for sexual acts;

“(cc) child sex trafficking;

“(dd) sex tourism involving children;

“(ee) extra familial child sexual molestation;

“(ff) unsolicited obscene material sent to a child;

“(gg) misleading domain names; and

“(hh) misleading words or digital images on the Internet; and

“(II) make reports received through the tipline available to the appropriate law enforcement agencies for its review and potential investigation;

“(ii) by operating a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support the recovery of children from sexually exploited situations; and

“(iii) by utilizing emerging technologies to provide additional outreach and educational materials to parents and families;”;

(J) by striking subparagraphs (R) and (S) to read as follows:

“(S) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, schools, local educational agencies, child-serving organizations, and the general public on—

“(i) the prevention of child abduction and sexual exploitation;

“(ii) Internet safety, including tips for social media and cyberbullying; and

“(iii) sexting and sextortion; and

“(T) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;”;

and

(L) by redesigning subparagraphs (H), (I), (J), (K), (N), (O), (Q), (S), (T), (U), and (V), as amended, as follows:

(a) TITLES FOR SERVICES FOR TRAFFICKING SURVIVORS

SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4)), by striking “2014 through 2017” and inserting “2018 through 2021”;

(2) in section 113(d) (22 U.S.C. 7110d)—

(A) in the matter preceding clause (i), by striking “$11,000,000 for each of fiscal years 2014 through 2017” and inserting “$77,000,000 for each of fiscal years 2018 through 2021”; and

(B) in paragraph (3), by striking “2014 through 2017” and inserting “2018 through 2021”; and

(b) ANNUAL TRAFFICKING CONFERENCE.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 19904(c)(2)) is amended by striking “2017” and inserting “2018”;

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 19904(e)) is amended by striking “2017” and inserting “2018”;

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 255(c)(6)(P) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1235(c)(6)(P)) is amended—

(1) in the matter preceding clause (i), by striking “Secretary of Health and Human Services’ Office and” and inserting “Secretary of Health and Human Services’ Office;”;

(2) in clause (i) by striking “the fiscal years 2016 and 2017” and inserting “fiscal years 2018 and 2021”;

(e) RESTATEMENT AND RAHTORIZATION OF GRANTS TO COMBATE CHILD SEX TRAFFICKING.—

(1) RESTATEMENT OF EXPIRED PROVISION.—

(a) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (34 U.S.C. 20702) is amended to read as follows:

“SEC. 202. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7100(b)(2)) is amended—

(1) in subparagraph (B), by striking the period at the end and inserting “;”;

and

(2) by adding at the end the following:

“(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General shall give priority to any applicant that files an attestation with the Attorney General stating that—

“(i) the grant funds awarded under this paragraph—

“(I) will be used to assist in the prevention of severe forms of trafficking in persons;

“(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

“(III) will be used to take affirmative measures to avoid arresting, charging, or prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

“(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

“(ii) the applicant will provide dedicated resources for anti-human trafficking law enforcement officers for a period that is longer than the duration of the grant received under this paragraph.”;

SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.

Section 305(e) of the Victims of Human Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(a) AMENDMENT.—The Victims of Human Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107A (22 U.S.C. 7105a) the following:

“SEC. 107B. IMPROVING DOMESTIC VICTIM SCREENING PROCEDURES.

“(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall compile and disseminate to all grantees who are awarded grants to provide victims’ services under subsection (b) or (f) of section 107, information about reliable and effective tools for the identification of victims of human trafficking.

“(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General shall require each grantee that—

“(I) is receiving funds under this title; and

“(II) is a victim service provider—

“(aa) to implement the screening tools identified in subsection (a) and, in consultation with the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims; and

“(bb) to encourage the use of any screening tools by grantees receiving a grant to provide victim services to youth under subsection (b) or (f) of section 107.”;

SEC. 107C. AMENDMENT.—The table of contents for the Victims of Trafficking and Violence Protection Act of 2000 (Public Law
106–386) is amended by inserting after the item relating to section 107A the following: “Sec. 107B. Improving domestic victim screening procedures.”.

(c) AMENDMENT TO TITLE 18.—Section 1593A of title 18, United States Code, is amended by striking “section 1581(a), 1592, or 1595(a)” and inserting “this chapter”.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2). The report shall describe whether each department or agency in compliance with paragraph (2) .

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 financial years, information on—

(1) the number of human traffickers who were arrested, disaggregated by—

(A) the number of individuals arrested for patronizing or soliciting an adult;
(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;
(C) the number of individuals arrested for patronizing or soliciting a minor; and
(D) the number of individuals arrested for recruiting, harboring, maintaining, or obtaining a minor;

(2) the number of individuals arrested for charges of prostitution;

(3) the number of minor victims who were identified;

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court; and

(5) the placement of and social services provided to each such minor victim as part of any case for each fiscal year.

(c) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING.

Section 733(2) of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) is amended—

(1) in paragraph (3), by striking “in the form of annual Uniform Crime Reports for the United States” and inserting “not less frequently than annually”;

(2) by striking the following:

“(4) INTELLIGENCE AND ANTI-TERRORISM ACT.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful oversight of paragraph (2).

(B) REPORT.—Not later than 6 months after the date of enactment of this paragraph, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

(5) ANNUAL REPORT BY FEDERAL BUREAU OF INVESTIGATION.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2). The report shall describe whether each department or agency in compliance with paragraph (2).

SEC. 403. HUMAN TRAFFICKING ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Executive Associate Director of Homeland Security Investigations shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives an assessment of investigations undertaken by Homeland Security Investigations that includes—

(1) the number of confirmed human trafficking investigations or referencias, including investigations relating to labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(2) the number of victims by category, including—

(A) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(B) whether the victim is a minor or an adult; and

(3) an analysis of the data described in paragraph (2), to the extent available to Homeland Security Investigations that indicates any general human trafficking or investigatory trends.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

SEC. 501. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL AND STATE PERSONNEL.

(a) TRAINING CURRICULUM IMPROVEMENTS.—

The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, not less than once every 2 years, implement improvements to the training programs on human trafficking of employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking victims service providers, and Federal law enforcement agencies responsible for the prevention, deterrence, and prosecution of offenses involving human trafficking (such as individuals serving as investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases). The Department of Justice shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation services, including victims of trafficking, perpetrators, and victim service providers, who offer services and resources for victims;

(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a victim of sex trafficking or a victim of labor trafficking; and

(C) engages in a discussion clarifying that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a victim (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense; and

(D) emphasizes how—

(i) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization; and

(ii) a comprehensive approach to eliminating human trafficking should include demand reduction as a component.

(b) USE OF CURRICULUM.—The Attorney General and the Secretary of Homeland Security shall provide training using the curriculum developed under paragraph (1) to—

(A) all law enforcement officers employed by the Department of Justice and the Department of Homeland Security, respectively, who may be involved in the investigation of human trafficking offenses; and

(B) members of task forces that participate in the investigation of human trafficking offenses.

(c) TRAINING COMPONENTS.—Section 107(c)(4)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)(B)) is amended—

(1) in clause (ii), by striking “and” at the end; and

(2) in clause (iii), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(iiii) individuals screening all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether anyone screened is a victim of human trafficking; and

(iv) how—

(1) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and

(II) such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization; and

(2) by adding at the end the following:

“(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Attorney General shall issue a screening protocol for use during all anti-
trafficking law enforcement operations in which the Department of Justice is involved.

(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

(A) require each individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of Federal or State child labor laws to determine whether each individual screened is a victim of human trafficking;

(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

(C) require all Federal law enforcement officials and relevant department personnel who participate in human trafficking investigations to receive training on enforcement of the protocol;

(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

(E) take into account the threat to human trafficking victims for any offense that is the direct result of their victimization.

(3) T ASK FORCE.—The term ‘grant awarded by the Attorney General under this title or an Act amended by the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 7103(a))’ means a grant awarded by the Attorney General under this title or an Act amended by the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 7103(a)).

SEC. 703. PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING.

(a) ESTABLISHMENT.—There is established the Public-Private Partnership Advisory Council to End Human Trafficking, which shall provide advice and recommendations to the Group and the Task Force.

(b) MEMBERS.—(1) COMPOSITION.—The Council shall be composed of not fewer than 14 representatives of public, private, and nonprofit organizations, academia, and nongovernmental organizations who have significant knowledge and experience in human trafficking prevention and eradication, identification of human trafficking, and services for human trafficking victims.

(2) REPRESENTATION OF NONPROFIT AND NON-GOVERNMENTAL ORGANIZATIONS.—To the extent practicable, members of the Council shall be representatives of nonprofit groups, academia, and nongovernmental organizations who accurately reflect the diverse backgrounds related to work in the prevention, eradication, and identification of human trafficking and services for human trafficking victims in the United States and internationally.

(3) APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall appoint—

(A) 1 member of the Council, after consultation with the President Pro Tempore of the Senate;

(B) 1 member of the Council, after consultation with the Minority Leader of the Senate;

(C) 1 member of the Council, after consultation with the Speaker of the House of Representatives;

(D) 1 member of the Council, after consultation with the Committee on the Judiciary of the House of Representatives;

(E) the remaining members of the Council.

(4) TERM; REAPPOINTMENT.—Each member of the Council—

(A) shall serve for a term of 2 years; and

(B) may be reappointed by the President to serve an additional 2-year term.

(c) FUNCTIONS.—The Council shall—

(1) advise the President on human trafficking, including programs relating to the provision of services for victims;
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?
There was no objection.

The text of the bill is as follows:

H.R. 88

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 "Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2019".

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.


(1) in section 1801(b)—

(A) in paragraph (1), by striking "graduated sanctions" and inserting "graduated sanctions and incentives";

(B) in paragraph (3), by striking "hiring juvenile court judges, probation officers, and court-appointed defendants and special advocates, and";

(C) by striking paragraphs (4) and (7), and redesignating paragraphs (5) through (17) as paragraphs (4) through (15), respectively; and

(D) in paragraph (11), as so redesignated, by striking "cyberbullying, and gang prevention programs" and inserting "interventions such as research-based anti-bullying, anti-cyberbullying, and gang prevention programs, as well as mental health services and trauma-informed practices";

(2) in section 1802—

(A) in subsection (d)(3), by inserting after "individualized sanctions" the following: "incentives,";

(B) in subsection (e)(1)(B), by striking "graduated sanctions and incentives" and inserting "graduated sanctions and incentives"; and

(C) in subsection (f)—

(i) in paragraph (2), by inserting after "A sanction may include the following:" a restorative justice program,"; and

(ii) by inserting after paragraph (2) the following:

(3) INCENTIVES. The term ‘incentives’ means interventions, anti-bullying, and graduated responses to a juvenile offender’s compliance with court orders and case disposition terms designed to reinforce or modify the behavior of the juvenile offender. An incentive may include a certificate of achievement, a letter of recommendation, a family or program activity, a meeting or special outing with a community leader, a reduction in community service hours, a reduced curfew or home restriction, a decrease in required court appearances as a decrease in the term of court-ordered supervision;"

(3) in section 1810(a), by striking "$350,000,000 for each of fiscal years 2006 through 2009" and inserting "$25,000,000 for each fiscal year 2018 through 2022"; and

(4) by adding at the end the following:

SEC. 1811. GRANT ACCOUNTABILITY.

(a) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term ‘applicable committees’ means—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on the Judiciary of the House of Representatives.

(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term ‘unsolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this part to prevent waste, fraud, and abuse of funds by grantee. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(c) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unsolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years following the end of the 12-month period described in subparagraph (A).

(2) USE OF AMOUNTS AVAILABLE FOR DEPARTMENT OF JUSTICE, GENERAL ADMINISTRATION AND SUPPLY, AND INSPECTOR GENERAL.

In each of fiscal years 2018 through 2022, the Attorney General shall use up to $25,000,000 of the amounts made available for Department of Justice, General Administration and Supply, and Inspector General to carry out part R of the Tiffany Joslyn Juvenile Accountability Block Grant Program.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Speaker, I have an amendment at the desk. The SPEAKER requested the Clerk to tempore. The Clerk will report the amendment.

The Clerk reads as follows:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2019".

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.


(1) in section 1801(b)—

(A) in paragraph (1), by striking "graduated sanctions" and inserting "graduated sanctions and incentives";

(B) in paragraph (3), by striking "hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and";

(C) by striking paragraphs (4) and (7), and redesignating paragraphs (5) through (17) as paragraphs (4) through (15), respectively; and

(D) in paragraph (11), as so redesignated, by striking "cyberbullying, and gang prevention programs" and inserting "interventions such as research-based anti-bullying, anti-cyberbullying, and gang prevention programs, as well as mental health services and trauma-informed practices";

(2) in section 1802—

(A) in subsection (d)(3), by inserting after "individualized sanctions" the following: "incentives,";

(B) in subsection (e)(1)(B), by striking "graduated sanctions and incentives" and inserting "graduated sanctions and incentives"; and

(C) in subsection (f)—

(i) in paragraph (2), by inserting after "A sanction may include the following:" a restorative justice program,"; and

(ii) by inserting after paragraph (2) the following:

(3) INCENTIVES. The term ‘incentives’ means interventions, anti-bullying, and graduated responses to a juvenile offender's compliance with court orders and case disposition terms designed to reinforce or modify the behavior of the juvenile offender. An incentive may include a certificate of achievement, a letter of recommendation, a family or program activity, a meeting or special outing with a community leader, a reduction in community service hours, a reduced curfew or home restriction, a decrease in required court appearances as a decrease in the term of court-ordered supervision;"

(3) in section 1810(a), by striking "$350,000,000 for each of fiscal years 2006 through 2009" and inserting "$25,000,000 for each fiscal year 2018 through 2022"; and

(4) by adding at the end the following:

SEC. 1811. GRANT ACCOUNTABILITY.

(a) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term ‘applicable committees’ means—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on the Judiciary of the House of Representatives.

(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term ‘unsolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this part to prevent waste, fraud, and abuse of funds by grantee. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(c) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unsolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years following the end of the 12-month period described in subparagraph (A).

(2) USE OF AMOUNTS AVAILABLE FOR DEPARTMENT OF JUSTICE, GENERAL ADMINISTRATION AND SUPPLY, AND INSPECTOR GENERAL.

In each of fiscal years 2018 through 2022, the Attorney General shall use up to $25,000,000 of the amounts made available for Department of Justice, General Administration and Supply, and Inspector General to carry out part R of the Tiffany Joslyn Juvenile Accountability Block Grant Program.

This Act may be cited as the "Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2019".
(4) by adding at the end the following:

"SEC. 8111. GRANT ACCOUNTABILITY.

"(a) DEFINITION OF APPLICABLE COMMIT-TEES.—In this section, the term 'applicable committees' means—

"(1) the Committee on the Judiciary of the Senate; and

"(2) the Committee on the Judiciary of the House of Representatives.

"(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall so state, the following accountability provisions:

"(1) AUDIT REQUIREMENT.—

"(A) DEFINITION.—In this paragraph, the term 'finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for any unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

"(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

"(2) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the 2-fiscal-year period beginning after the end of the 12-month period described in subparagraph (A).

"(3) AUDIT REPORT.—Not later than 180 days after receipt of an unresolved audit finding described in paragraph (1), the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives an annual certification—

"(A) indicating whether—

"(i) all audits issued by the Inspector General of the Department of Justice under paragraph (1) have been completed and reported;

"(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

"(iii) all reimbursements required under paragraph (1)(E) have been made; and

"(B) that includes a list of any grant recipients excluded under paragraph (1) from eligibility to receive grant funds under this part, including the total dollar amount of any duplicate grants awarded; and

"(C) the reason the Attorney General awarded the duplicate grants.

"SEC. 3. SENSE OF CONGRESS.

It is the sense of the Congress that the use of best practices is encouraged for all activities for which grants under part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 may be used.

"SEC. 4. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.


Mr. MARINO (during the reading). Mr. Speaker, I seek unanimous consent to strike the reading of the amendment.

The bill was ordered engrossed and read a third time, passed, and a motion to reconsider was laid on the table.

UNITED STATES PAROLE COMMISSION EXTENSION ACT OF 2018

Mr. MARINO. Mr. Speaker, I seek unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 6896) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The amendment was agreed to.

There was no objection.

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

There was no objection.

The text of the bill is as follows:

H.R. 6896

Be it enacted by the Senate and House of Representa-tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the "United States Parole Commission Extension Act of 2018".

SEC. 2. AMENDMENT OF SENTENCING REFORM ACT OF 1984.
For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note), as amended by Public Law 107-222, the annual report to the appropriate Assistant Attorney General or Director—

"(a) that includes a list of any grant recipients excluded under paragraph (1) from the parole process; and

"(b) that includes a list of any grant recipients excluded under paragraph (1) from the parole process; and

"SEC. 3. PAROLE COMMISSION REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following for fiscal year 2018:

"(1) The number of offenders in each type of case over which the Commission has jurisdiction, including the number of Sexual or Violent Offender Registry offenders and Tier Levels offenders.

"(2) The number of hearings, record reviews and National Appeals Board considerations conducted by the Commission in each type of case over which the Commission has jurisdiction.

"(3) The number of hearings conducted by the Commission by type of hearing in each type of case over which the Commission has jurisdiction.

"(4) The number of record reviews conducted by the Commission by type of review in each type of case over which the Commission has jurisdiction.

"(5) The number of warrants issued and executed compared to the number requested in each type of case over which the Commission has jurisdiction.

"(6) The number of revocation determinations by the Commission in each type of case over which the Commission has jurisdiction.

"(7) The distribution of initial offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction.

"(8) The distribution of subsequent offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction.

"(9) The percentage of offenders paroled or re-paroled compared with the percentage of offenders continued to expiration of sentence (less any good time) in each type of case over which the Commission has jurisdiction.

"(10) The percentage of cases (except probable cause hearings and hearings in which a continuance was ordered) in which the primary and secondary examiners disagreed on the appropriate disposition of the case (the amount of time to be served before release), the release conditions to be imposed, or the reasons for the decision in each type of case over which the Commission has jurisdiction.

"(11) The percentage of decisions within, above, or below the Commission's decision decisions for Federal offenders (PROS (28 CFR 2.20) and Federal and D.C. Code revocation hearings (28 CFR 2.21).

"(12) The number of offenders granted parole and non-revocation hearings in which the offender is accompanied by a representative in each type of case over which the Commission has jurisdiction.

"(13) The number of administrative appeals and the action of the National Appeals Board in relation to those appeals in each type of case over which the Commission has jurisdiction.

"(14) The projected number of Federal offenders that will be under the Commission's jurisdiction as of October 31, 2021.

"(15) An estimate of the number of no Federal offenders will remain under the Commission's jurisdiction.

"(16) The Commission's annual expenditures for offenders in each type of case over which the Commission has jurisdiction.

"(17) The annual expenditures of the Commission, including travel expenses and the annual salaries of the members and staff of the Commission.

"(b) SUCCEEDING FISCAL YEARS.—For each of fiscal years 2019 through 2021, not later than 90 days after the end of the fiscal year, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following for fiscal year 2018:

"(1) The number of offenders in each type of case over which the Commission has jurisdiction, including the number of Sexual or Violent Offender Registry offenders and Tier Levels offenders.

"(2) The number of hearings, record reviews and National Appeals Board considerations conducted by the Commission in each type of case over which the Commission has jurisdiction.

"(3) The number of hearings conducted by the Commission by type of hearing in each type of case over which the Commission has jurisdiction.

"(4) The number of record reviews conducted by the Commission by type of review in each type of case over which the Commission has jurisdiction.

"(5) The number of warrants issued and executed compared to the number requested in each type of case over which the Commission has jurisdiction.

"(6) The number of revocation determinations by the Commission in each type of case over which the Commission has jurisdiction.

"(7) The distribution of initial offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction.

"(8) The distribution of subsequent offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction.

"(9) The percentage of offenders paroled or re-paroled compared with the percentage of offenders continued to expiration of sentence (less any good time) in each type of case over which the Commission has jurisdiction.

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"(11) The percentage of decisions within, above, or below the Commission's decision decisions for Federal offenders (PROS (28 CFR 2.20) and Federal and D.C. Code revocation hearings (28 CFR 2.21).

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"(15) An estimate of the number of no Federal offenders will remain under the Commission's jurisdiction.

"(16) The Commission's annual expenditures for offenders in each type of case over which the Commission has jurisdiction.

"(17) The annual expenditures of the Commission, including travel expenses and the annual salaries of the members and staff of the Commission.
ADJOURNMENT FROM FRIDAY, SEPTEMBER 28, 2018, TO TUESDAY, OCTOBER 2, 2018

Mr. MARINO. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, October 2, 2018.

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

There was no objection.

NATIONAL RECOVERY MONTH

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to celebrate September being National Recovery Month.

Sponsored by the Substance Abuse and Mental Health Services Administration, SAMHSA, I encourage everyone to take the time this month to reach out to those who they know are suffering or have suffered from mental and substance abuse disorders.

Currently, 115 people die every day from opioid abuse. Clearly, that is too many, and, sadly, only one example of numerous types of mental and substance abuse disorders in the United States.

If you or anyone you know is struggling, there are resources available, including a Suicide Prevention Lifeline, SAMHSA’s National Helpline, and more. SAMHSA’s website, www.samhsa.gov, has these phone numbers, treatment center locations, grant applications for local governments, and general health information.

With hard work, smart policy decisions, and a dedicated American public, we can turn these numbers around.

RECOGNIZING STAFF MEMBER Audra Wilson

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

Ms. KELLY of Illinois. Mr. Speaker, I rise today to thank a longstanding staff member, my deputy chief of staff, Audra Wilson.

After more than 5 years of service to the people of Illinois’ Second Congressional District, Audra is leaving my office to serve as the new executive director of the League of Women Voters of Illinois.

I first met Audra in 2003 while serving as a State representative. Audra has been with my congressional staff from day one. As my deputy chief of staff and district director, she has played an important role in organizing essential district programming like our jobs and health fairs, our local Black Women & Girls programming, and general health information.

Audra is also my constant plus one whenever I want to grab a bite of Indian food.

I congratulate Audra and her family, especially her beautiful and brilliant daughter, Ava, my future district director in the year 2038.

Mr. Speaker, I am honored to have had the privilege to work with Audra, and on behalf of the people she served for over 5 years, I commend her and say: Job well done.

VICTIMS OF CONGRESSIONAL DELAY

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

Mr. POE of Texas. Mr. Speaker, one in four women will experience domestic violence during their life. Nearly three women are murdered by their spouses every day. This is violent America in our time. Violence in the family unit.

These crimes affect the spouse, the children, and the quality of life of our community.

The Violence Against Women Act, or VAWA, has helped women throughout our nation.

Lifesaving programs and resources have given victims of domestic violence, sexual assault, stalking, and dating violence a chance for a better life.

My legislation to reauthorize the full funding of VAWA through 2019 will help victims of violence and support groups that work with battered families.

But Congress has only extended VAWA for 3 months.

Women affected by domestic violence deserve better than more delay. Standing up for victims is not a partisan issue. Congress needs to fully fund and reauthorize the Violence Against Women Act because domestic violence victims are people too.

And that is just the way it is.

JUDGE THOMAS-ANITA HILL V. JUDGE KAVANAUGH-CHRISTINE BLASEY FORD

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

Ms. DELAURU. Mr. Speaker, the United States Senate is about to embark on a misguided journey. How can there be a vote to place Judge Kavanaugh in a lifetime appointment to the Supreme Court under this cloud?

To be sure, a person is innocent until proven guilty, but without a full and public hearing about the veracity of these very serious charges of sexual harassment, a decision today to elevate Judge Kavanaugh to the Supreme Court casts doubt on the entire process.

Allegations of sexual harassment are serious charges which deserve serious consideration. The Justices of the Supreme Court must demonstrate respect for the law and for individual rights.

To impugn the integrity of Professor Christine Blasey Ford, to elevate that of Judge Kavanaugh, is not appropriate.
nor is it a credible tactic. The American people deserve more than a dismissal of Professor Ford’s charges. They deserve to know the truth.

Mr. Speaker, let us take time to uncover the truth. I gave this same exact speech on October 8, 1991. The only difference is the name of Clarence Thomas. This is a crusade for Brett Kavanaugh and Anita Hill’s for Christine Blasey Ford’s.

Republicans attempted to censure me for that speech. History is repeating itself before our eyes, and women are once again being ignored instead of being believed.

We must do better than that in the United States of America and in the United States Congress.

URGING THE SENATE TO CONFIRM JUDGE BRETT KAVANAUGH

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

Mr. BYRNE. Mr. Speaker, I rise today to urge the Senate to confirm Judge Brett Kavanaugh. Judge Kavanaugh has a clear record as a thoughtful jurist who respects and will defend our Constitution. Those who have worked with him over the years and know him best strongly defend his record as a good man who loves his family and our country.

I am ashamed we find ourselves where we are today. It is shameful the way that Judge Kavanaugh has had his name smeared, just as it is shameful that Dr. Ford has been used as a pawn in a political game. Frankly, my heart hurts for both of them.

Our government is only as good as the people who serve in it, and I am deeply concerned that this whole series of events will encourage fewer good men and women to take up the call of government service.

Mr. Speaker, this circus must end. The Senate should vote on Judge Kavanaugh, approve him to serve on the Supreme Court, and allow our great country to move forward.

THE RULE OF LAW AND THE CONSTITUTION MUST PREVAIL

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

Ms. JACKSON LEE. Mr. Speaker, first, I would like to join my friend from Texas, as the author of the Violence Against Women Act.

In 2018, I encouraged my colleagues to step up and pass this vital legislation to designate the 110 miles of this river system as a Wild and Scenic River. After 3 years of intense study, the National Park Service has found it to have areas of pristine beauty, recreational importance, and untouched wilderness.

I applaud the work of Denise Poyer, the study coordinator at the Wood-Pawcatuck Watershed Association, and all of those who have volunteered their time to protect this river.

Mr. Speaker, I look forward to working with my colleagues on the Natural Resources Committee to complete this designation.

CONGRATULATING JIM PAXTON

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

Mr. COMER. Mr. Speaker, I rise today to congratulate Mr. Jim Paxton of the First District of Kentucky on his retirement from the Paducah Sun newspaper.

Within the first year of his career, he quickly rose through the ranks to serve as the Paducah Sun’s editor and publisher. As he and his brothers joined the generations of Paxton family members who have led and managed Paxton Media Group, they began to expand their operations into local television broadcasting with WPSD-TV and radio broadcasts, eventually owning and managing more than 35 daily and weekly newspapers throughout the Southeastern United States.

The Paducah Sun’s continued success is a testament to Jim’s belief that local newspapers should focus on prominently featuring news from the community, while also striking the appropriate balance of State and national coverage.

Throughout his career, Jim Paxton has established an outstanding legacy as a revered public servant and titan of western Kentucky media. He is widely respected for his pursuit of meaningful, insightful journalism, and I am thankful for his friendship and guidance throughout the years.

As he begins the next phase of his life, I join with his family and friends, as well as those he has impacted during his career, to express our dedication and gratitude for his contributions to western Kentucky.

NATIONAL URBAN WILDLIFE REFUGE DAY

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

Mr. WITTMAN. Mr. Speaker, I rise today to support my resolution, H. Res. 1088, a resolution recognizing this Saturday, September 29, as National Urban Wildlife Refuge Day.

Across the country, urban wildlife refuges are places for families to gather and enjoy the outdoors. Urban refuges are places where communities can come together to preserve nature, and places to inspire the next generation of hunters and anglers.

I encourage all generations, whether old or young, to go visit one of the 101 national urban wildlife refuges throughout the United States.

I thank Representative HAKEEM JEFFRIES for partnering with me on this legislation to help further emphasize the value of our Nation’s urban wildlife refuges.

WOOD-PAWCATUCK WATERSHED

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

Mr. LANGEVIN. Mr. Speaker, I rise today to acknowledge the 50th anniversary of the Wild and Scenic Rivers Act, signed into law on October 2, 1968.

This landmark conservation bill launched a movement. It helped us recognize and protect the free-flowing rivers with “outstandingly remarkable” characteristics.

In Rhode Island and Connecticut, we have just such waterways, including the branches of the Wood and Pawcatuck Rivers, which combined have an "outstandingly remarkable" designation.

In 2017, in cooperation with Senator JACK REED, I introduced legislation to designate the 110 miles of this river system as a Wild and Scenic River.
We believe in the importance of maintaining a system of wildlands throughout this great country. That is why I am proud to join my colleague, Representative Wittman, in sponsoring this resolution to recognize our Nation's 101 national urban wildlife refuges.

People visit refuges to experience America's natural beauty. They help to mold the next generation of conservationists and outdoor enthusiasts by providing learning experiences and cherished memories for America's families.

Refuges have a tremendous impact for communities all over America, even in my hometown of Brooklyn. We must remain vigilant in protecting the breathtaking wildlife and beautiful environment God has given America. Urban refuges are essential in achieving that goal.

HONORING COLONEL ALFRED ASCH

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

Mr. MOOLENAAR. Mr. Speaker, I rise today to thank the members of the Michigan delegation and the House of Representatives for their support and unanimous passage of my legislation earlier this month to rename the Beaverton Post Office in honor of the late Colonel Alfred Asch.

Alfred was born and raised in Beaverton, and, as a young boy, he was fascinated by aviation. In September of 1941, after graduating high school, he entered the Army Corps. He flew more than 70 missions over North Africa and Europe, earning numerous decorations, while documenting his experiences in letters to Naomi, his girlfriend and wife-to-be. He continued to serve in the Air Force until 1968, and he made contributions to military and civilian flight.

His work took him away from Michigan, but he always kept his hometown in his heart. He funded a scholarship at Central Michigan University for students from Gladwin County, and proceeds from his memoir helped fund the Beaverton Activity Center.

I am proud to have the support of Colonel Asch's family and his two sons, David and Peter, who have said their father's childhood in Beaverton helped him face life's early challenges before taking on the world.

Alfred Asch was a great American and a hometown hero for Beaverton, Michigan.

REMEMBERING LOUISE MCINTOSH SLAUGHTER

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

Mr. TONKO. Mr. Speaker, during this 115th session of Congress, the House lost one of its most passionate souls, the late Representative Louise McIntosh Slaughter.

She worked day in and day out with great passion and with great integrity. She understood that it was about trust that was placed into a Member of Congress by the people who have chosen you to serve them in Congress.

To Louise Slaughter it was important to make certain that government was transparent and accountable, so she drove the Stop Trading On Congressionals Knowledge Act, which was doubly named after her hometown in Congress. To Louise Slaughter it was important to make certain that government was transparent and accountable, so she drove the Stop Trading On CongressionALS Knowledge Act, which was doubly named after her hometown in Congress.

Louise Slaughter worked for transparency in this House. She knew that it was about making lives of the constituents that we represent all the stronger and all the fuller and not enriching our own lives by the trust placed in us.

It is an honor to rename the STOCK Act because of her hard work and because of her integrity.

HONORING LA GRANGE FIRE DEPARTMENT

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

Mr. FERGUSON. Mr. Speaker, I rise today to honor the bravery of the LaGrange Fire Department.

In the early hours on the morning of Labor Day, the department received a call for a house fire. As firefighters battled the blaze, the flames were so hot that their fire hose melted in two.

Firefighters were trapped in the house. Luckily, everyone made it out. But six of those firefighters suffered severe burns and injuries: Pete Trujillo, Jordan Avera, Jonathan Williamson, Josh Williams, Jim Ormsby, and Sean Jordan Avera, Jonathan Williamson, Josh Williams, Jim Ormsby, and Sean Guerrero. All are on the mend, but they suffered very, very severe injuries.

These brave men and women put their lives on the line every single day to keep our loved ones safe in an emergency with no expectation of recognition for their heroism. But today, I would like us all to pause and think about the tough work that they do and the danger that they put their lives in. I would like us all to thank them and extend our deepest gratitude to these firefighters and all of those around the Nation.

TARIFF IMPACTS

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

Mr. CLEAVER. Mr. Speaker, recently, I spent time listening to farmers, large manufacturers, and leaders of smaller companies in my district express their frustrations on how tariffs are affecting their bottom line. I visited a steel fabrication company, an architectural aluminum design company, and a brewery. Although these companies vary in product, they all shared one common fear: wondering what would be their fate in the presence of these ill-advised tariffs.

I listened to farmers offer feedback on how they are affected. Agriculture is one of Missouri's top industries, bringing in about $8 billion a year. Most farmers tell me that the recently announced USDA payments are helpful, but that, ultimately, in their words, "we want trade, not aid."

I met with local chambers of commerce and business councils, and, for those I didn't even have a chance to visit, I created a survey on my website. What I learned is this: These tariffs are deeply damaging to these businesses in ways that those who promoted them perhaps never even contemplated.

Hundreds of thousands of jobs may be in jeopardy because of these tariffs. For example, Harley-Davidson, a company that I was able to bring to Kansas City during my term as mayor, suddenly announced that they were closing the plant and moving overseas. They left nearly 1,000 workers unemployed overnight. Now, just imagine, if you multiply that around the country, what kind of instability has been created.

Mr. Speaker, I hope that this administration will recognize that these tariffs are unstable to the community and then move to end this trade war today.

ANGELS IN ADOPTION

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

Mr. RUTHERFORD. Mr. Speaker, I rise today to recognize Mr. Brian Kelly from Jacksonville, Florida, who has been named a 2018 Angels in Adoption honoree. This Congressional Coalition on Adoption Institute award recognizes and honors outstanding individuals who have made contributions to the adoption community.

For more than 25 years, Brian Kelly has worked as an adoption attorney. Through his work at his law firm and at Jacksonville Legal Aid, Brian has touched, literally, thousands of lives promoting adoption in northeast Florida. He has also worked with the Florida bar to encourage the practice of adoption laws across the State.

In addition to his professional work, Brian has devoted his life to serving his community, whether it be serving his church or chairing the board of directors at Angelwood, a center in Jacksonville that provides services to people with developmental disabilities. Brian has dedicated countless hours in service to others.

I have had the opportunity to get to know Brian throughout his work, and I am pleased to honor him today on behalf of the many grateful families of northeast Florida. I commend Brian Kelly for this much-deserved honor of being named a 2018 Angels in Adoption honoree.
RECOGNIZING FORMER U.N. HIGH COMMISSIONER FOR HUMAN RIGHTS PRINCE ZEID RA’AD AL HUSSEIN

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

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the extraordinary work of the former United Nations High Commissioner for Human Rights, Prince Zeid Ra’ad Al Hussein, who left his post on September 1. His tireless efforts enabled him to become a voice for those who find themselves defenseless against those who abuse the human rights of others in order to gain and maintain power.

High Commissioner Zeid was very helpful during the debate over the passage of H. Res. 128, supporting respect for human rights and encouraging inclusive governance in Ethiopia. He not only publicly endorsed the resolution, but sent a representative during the critical negotiations to bring H. Res. 128 to the floor of the United States House of Representatives for a vote.

Mr. Speaker, former United Nations High Commissioner Prince Zeid Ra’ad Al Hussein will forever be remembered by the Ethiopian people for his role in the passage of H. Res. 128.

VIOLENCE AGAINST WOMEN ACT

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, as I travel through my district, the women of Orange County have expressed their support for policies that safeguard women and children, including the Violence Against Women Act. As the mother of two daughters, I share their support for this legislation and care deeply about ensuring the safety of all women.

For 24 years, the Violence Against Women Act has provided lifesaving services for survivors of domestic and dating violence, sexual assault, and stalking.

While I am pleased we passed a short-term extension of the Violence Against Women Act, we must work together towards a long-term reauthorization that will allow us to continue to protect and support survivors. We owe it to survivors to ensure this law remains in place, and I will continue to work to make this happen.

RECOGNIZING INDUCTEES OF THE ARKANSAS BLACK HALL OF FAME

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

Mr. HILL. Mr. Speaker, it is my pleasure to rise today to congratulate the six Arkansans in the 2018 class of inductees of the Arkansas Black Hall of Fame. This year’s inductees include:

Kevin Cole, a celebrated painter, printmaker, and sculptor;
Brent Jennings, a prolific award-winning actor and director;
Lieutenant General Aundre Piggee, U.S. Army deputy chief of staff for logistics at the Pentagon;
Darrell Walker, a former NBA player and current men’s basketball coach at the University of Arkansas at Little Rock;
Mary Louise Williams, a legendary educator and political leader; and
Florence Price, the first African American woman recognized as a symphonic composer and to have a composition played by a major orchestra.

Mr. Speaker, I am proud to recognize these six Arkansans who will join the Hall of Fame’s more than 140 members for their lasting contributions to our communities and our State. I congratulate these inductees who exemplify the spirit and dedication behind this fine honor.

THANKING ARMY SPECIALIST RYAN WILCOX AND HOMES FOR OUR TROOPS

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

Ms. TENNEY. Mr. Speaker, Army Specialist Ryan Wilcox heroically served our Nation in two combat tours. Specialist Wilcox first deployed to Iraq as a combat engineer with the 479th Engineer Battalion. In 2007, he suffered a gunshot wound to his leg at that time.

In 2012, he returned to Active Duty in Afghanistan with the 444th Engineer Battalion. During this tour, he suffered chronic pain resulting, ultimately, in the amputation of his right leg.

Now retired, Specialist Wilcox is looking to start a new life in upstate New York with his fiancee, Sara, and their two children, Nicholas and Julia.

This Saturday, a terrific organization known as Homes for Our Troops will donate a specially adapted home in Mexico, New York, for Specialist Wilcox and his family. This home will allow him to navigate easily throughout his home so he can focus more on his family, finishing college, and continuing his work to help fellow veterans in need.

Mr. Speaker, please join me in thanking Specialist Wilcox for his heroic service to our Nation, as well as honoring, congratulating, and thanking Homes for Our Troops for helping transform the lives of our Nation’s heroes like Ryan Wilcox and his family.

HONORING MURRAY WATSON

The SPEAKER pro tempore (Mr. COOK) said. Under the Pentagram: Speaker’s announced policy of January 3, 2017, the gentleman from Texas (Mr. FLORES) is recognized for 60 minutes as the designee of the majority leader.
Mr. FLORES, Mr. Speaker. I rise today to honor Murray Watson, Jr., of Mart, Texas, who passed away on July 24, 2018.

Murray was born in 1932 in Mart, Texas, to Murray Watson, Sr., and Ethel N. Phillips. He attended Mart High School and later received a degree from Baylor University with a bachelor’s degree in 1952, and a juris doctorate from Baylor in 1954. In 1957, he was elected to the Texas House of Representatives. In 1967, he was elected to the Texas Senate, where he served for 10 years.

During his lifetime in elected office, Murray was involved in crafting and passing many pieces of influential legislation, including the establishment of what is now known as Texas State Technical College, a vocational school based in Waco, with campuses all across our State. Murray served as the school’s general counsel, and the Watson family’s contributions to the school were significant. Both Murray and his wife have buildings named in their honor on the TSTC campus in Waco.

His passion for education extended long after his retirement from politics. He took a leading role in founding the Brazos Higher Education Authority and Brazos Higher Education Service Corporation, Inc., to help students fund their education. He also served as a trustee of the McLendon Community Foundation. In 2017, he was named Baylor Lawyer of the Year for his commitment to education and his philanthropic spirit.

Murray was a member of the Rotary Club of Waco, the Austin Avenue Methodist Church, the Baylor Masonic Lodge, the Waco Scottish Rite Consistory, the Order of the Eastern Star, the Baylor Law Alumni Association, the Baylor Bear Foundation, and the Baylor Founders Club.

While Murray was committed to serving others, his role as a family man was the pride of his life. He allowed nothing to come between him and his family. Breta, his wife of nearly 59 years, two children, a daughter-in-law, and two grandchildren. Murray also owned and operated the family’s ranch and historic feed store in Mart, Texas.

Mr. Speaker, Murray’s life was defined by his service to those around him. He worked tirelessly to better our community. He will be forever remembered as a selfless servant, a husband, a father, a grandfather, and a friend.

My wife, Gina, and I offer our deepest heartfelt condolences to the Wat on family. We also lift up the family and friends of Murray Watson, Jr., in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of Murray Watson, Jr., for our first responders.

Mr. FLORES, Mr. Speaker. I rise today to honor Murray County Sheriff David Greene of Cameron, Texas, who passed away on July 20, 2018.

Sheriff Greene was born in 1952 in Sherman, Texas, to Oscar and Marguerite Greene. In 1996, he married Janell Rene Morin. He had three sons and was blessed with three grandsons.

Sheriff Greene dedicated his life to public service. He served as a game warden for the Texas Park and Wildlife Service for almost 30 years before becoming a Milam County constable. In 2008, David was elected Milam County sheriff and was re-elected for two additional 4-year terms. Sheriff Greene went well beyond the call of duty in 2010 by establishing the Milam County Sheriff’s Office Brown Santa program to raise money to buy Christmas gifts for underprivileged children in Milam County. This year’s fundraiser was held just 8 days after Sheriff Greene’s passing and was the largest in the event’s history, a testament to Sheriff Greene’s character and his impact on our community.

Mr. Speaker, Sheriff Greene’s life was defined by his service to those around him. He worked tirelessly to better our community. He will be forever remembered as a selfless servant, a husband, a father, a grandfather, and a friend.

My wife, Gina, and I offer our deepest heartfelt condolences to the Greene family. We also lift up the family and friends of David Greene in our prayers.

I requested that a United States flag be flown over the Capitol to honor the life and legacy of Sheriff David Greene. As I close today, I urge all Americans to continue praying for our country, for our military men and women who protect us overseas, and for our first responders who keep us safe at home.

Mr. FLORES, Mr. Speaker. I rise today to honor Olive DeLucia of Bryan, Texas, who passed away on August 12, 2018.

Olive was born on June 16, 1924, in Audubon, New Jersey. As a young woman during World War II, she served in the United States Naval Reserve in the Women Accepted for Volunteer Emergency Service, more commonly known as the WAVES program. In 1958, she married John C. DeLucia, her husband and two sons to Bryan-College Station, Texas. Once in Texas, Olive made a career working for Texas A&M University for 30 years. While working for The Association of Former Students, our alumni association, she served as the event manager for the collegiate and later oversaw the Traveling Aggies program, which gave her the ability to visit all seven continents. She was thanked for her service to the university with the President’s Distinguished Service Award and was named as a Fish Camp namesake.

Even though she was only about 5 feet tall, she had immense wisdom. I remember the days that she would give me that look and tell me what I had done wrong or how to do things better, and I always paid attention to what Olive DeLucia told me to do.

Mr. Speaker, Olive’s life was defined by the service to those around her. Her life enriched the lives of many. She will be forever remembered as a selfless servant, an Aggie, a mother, a grandmother, and a dear friend.

My wife, Gina, and I offer our deepest heartfelt condolences to the entire DeLucia family. We also lift up the family and friends of Olive DeLucia in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of Olive DeLucia. As I close today, I urge all Americans to continue praying for our country, for our military men and women who protect us overseas, and for our first responders who keep us safe at home.

Mr. FLORES, Mr. Speaker. I rise today to honor George Boyett of College Station, Texas, who passed away on September 7, 2018.

George was born in 1935 and was a native of the Brazos Valley. He graduated from Stephen F. Austin High School in 1953 and attended Texas A&M University. At Texas A&M, he was a member of the Corps of Cadets, the Ross Volunteers, and the swim team.

In 1957, he married his wife, Gaytha, at the Texas A&M All Faiths Chapel. Upon graduation in 1958, he served our country in the United States Army for 6 years before returning to College Station while continuing to serve in the Army Reserve.

George was a successful businessman, forming local firms and companies before he was elected as a Brazos County justice of the peace in 1968. His precincts were redistributed and renumbered many times throughout his tenure, but he most recently served as the justice of the peace Precinct 3, which included much of the Texas A&M campus, before retiring in 2015.

Mr. Speaker, Olive’s life was defined by her selfless service to those...
around him. He worked tirelessly to better our community through his capacity as a judge and his involvement with the Boy Scouts. He will be forever remembered as a selfless servant, a mentor, a husband, a father, a grandfather, a great-grandfather, and a friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Boyett family. We also lift up the family and friends of George Boyett in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of George Boyett. As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

HONORING MARY FAY LUCAS ARNOLD

Mr. FLORES. Mr. Speaker, I rise today to honor Mary Fay Lucas Arnold of Bryan, Texas, who passed away on November 29, 2017.

Mary was born in east Texas on November 17, 1920, to William and Cora Terrell. In 1943, in the midst of World War II, Mary decided to serve her nation by joining the Women’s Army Corps. A few months later, she met William Everett “Bill” Lucas, and they married in January of 1944.

After the war, Bill’s work took him, Mary, and their family to live in Haiti, Venezuela, and College Station, Texas. Upon retirement, Bill and Mary moved to Bryan, Texas.

Bill passed away in 1972, and Mary later married Fred “John” Arnold.

Mary was active in serving the Bryan-College Station community. She was the assistant credit manager at Sears in Bryan and was one of the two oldest living members of the First Baptist Church in College Station. She was a member of the Order of the Eastern Star and belonged to the American Legion and the VFW Auxiliary.

Mr. Speaker, Mary’s life was defined by her love of service to those around her. She was loved by her community and, certainly, left an enduring legacy. She will be forever remembered as a veteran, community leader, wife, mother, grandmother, great-grandmother, and a dear friend.

My wife, Gina, and I offer our deepest and heartfelt condolences to the Lucas and Arnold families. We also lift up the family and friends of Mary Fay Lucas Arnold in our prayers.

I have requested that a United States flag be flown over the Capitol to honor the life and legacy of Mary Arnold. As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

HONORING BOB BEAMON’S 100TH BIRTHDAY

Mr. FLORES. Mr. Speaker, I rise today to honor James Robert Beamon of Edna, Texas, who turned 100 years old on September 15, 2018.

Mr. Beamon, who is known as Bob to his friends, was born in Eufaula, Alabama. His family moved to Goliat, Texas, when he was 2 years old. In true Texas style, he would ride his horse to school with his younger brother.

As a young man in the 1930s, he attended a dance hall, where he met Annie Juanita Clifton. Annie and Bob were married on December 13, 1937, and were married for 74 years.

At the outbreak of World War II, Bob was drafted into military service. Although he could have opted to defer, Bob went on to serve in the United States Navy as a gunner for the PB4Y-2 Privateer patrol plane in the 106th Squadron, the Fighting Wolverines. Bob flew 17 missions for the Navy in the war’s Pacific theater before returning to the United States.

After his service, he came home and raised five children with Annie, four sons and one daughter. He worked for more than 60 years in the painting business and eventually owned his own company.

Now retired, Bob enjoys playing Wahoo game boards for his family, visiting military museums, and, until recently, enjoyed hunting and fishing.

Recently, Bob celebrated his 100th birthday with dozens of friends and several family members. He recounted many stories from his military service days and played with his great-grandson, Rage, who turned 1 year old also on September 15.

Mr. Speaker, I am proud to recognize Bob on this joyous occasion, and I know that his family and friends love him and are proud of him. I wish him many more years of health and happiness.

I have requested that a United States flag be flown over the United States Capitol to honor Bob Beamon’s 100th birthday.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

HONORING AIR MED 12

Mr. FLORES. Mr. Speaker, I rise today to recognize CHI St. Joseph’s Hospital Air Med 12 team for their outstanding achievements in providing lifesaving services for residents of the Brazos Valley.

In May of 2005, PHI Air Medical formed Air Med 12, the first air medical program to serve the Brazos Valley. Air Med 12 and CHI St. Joseph’s School of Rural Public Health with the Texas A&M College of Medicine’s School of Rural Public Health and College of Nursing have brought a high standard of healthcare across central Texas and the Brazos Valley.

The impact of Air Med 12 cannot be understated. In 2018 alone, they have transported 23 critical pediatric patients to specialty hospitals, administered 27 units of blood to patients elsewhere in rural hospitals, and, in August, completed a record number of 48 flights in one month.

Mr. Speaker, I would like to honor Air Med 12 and CHI St. Joseph’s Hospital for the work they have done to provide the Brazos Valley with improved emergency medical care.

I have requested that a United States flag be flown over the United States Capitol to honor Air Med 12.

As I close today, I urge all Americans to continue praying for our country, for our military men and women who serve us, and for our first responders who keep us safe at home.

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

D.C. STATEHOOD

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2017, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, it is probably appropriate that you will be hearing on this last full day before the midterms about statehood for the District of Columbia. I am going to speak about why that is the appropriate way for us to go to midterms, as I represent 700,000 Americans who are number one—please remember this number—number one in taxes paid to support the Federal Government, but also have the distinction of having no final representation in the Senate of the District of Columbia. I am going to speak about why that is the appropriate way for us to go to midterms, as I represent 700,000 Americans who are number one—please remember this number—number one in taxes paid to support the Federal Government, but also have the distinction of having no final vote on this House floor and having no representation in the Senate of the United States.

It is very clear—if you want a history lesson, I am not going to offer that lesson in the time allotted to me this afternoon—but it is absolutely clear...
that the Framers and the Founders of our country did not go to war with the slogan of “Taxation Without Representation” in order to allow that slogan to apply everywhere but in their Nation’s Capital.

For that reason, we want to thank the Democrats, almost the full caucus, who have already become cosponsors of the D.C. statehood bill.

I hasten to add that I do not yet have my Republican friends. I believe that will occur. Meanwhile, Democrats have to play a lead role.

I must thank my colleagues for the support they have given me, because we are very close to 100 percent here in the House on our DC statehood bill. I have to offer my thanks as well to Senator TOM CARPER, because he is the lead sponsor in the Senate, and he has gotten more than 60 percent of the Democrats in the Senate to support D.C. statehood.

If I could mention the last Democrat before we go home—and there will still be time before the end of this session for the few who remain off the bill—I do want to thank ERIC SWALWELL, because he is the last one before we go home. I had sent out a message: Don’t go home without signing for D.C. statehood. He heard that message.

There will be a few stragglers. I mention stragglers because when I meet people who aren’t on the bill, they say: Oh, my goodness, I thought I was on the bill.

So that doesn’t mean that because we don’t have 100 percent, we can’t get 100 percent. It just means Members overlook it and haven’t yet come onto the bill. So we will get to you before the end of the 115th Congress.

I also want to explain, particularly since we don’t have Republican cosponsors yet, that signing onto the bill is going to help the District of Columbia, in any case, because we are the first to concede, with no Republican cosponsors yet, that D.C. statehood is an uphill climb.

I am here today to say we are prepared to make that climb. I think we are showing that, as I so indicate.

Getting cosponsors is going to help us in the next Congress. We are almost sure it is going to help us to get what the Congress can give us now, even without statehood, as more people awaken to the injustice of Americans who don’t have democratic representation—a small “d”—in their Congress.

It is going to help us get incrementally to statehood. For example, the District of Columbia, even its final budget raised entirely in the District of Columbia, have to come here and be signed off by the Congress.

That is an insult to us, frankly. Most Members aren’t interested, don’t know anything about DC’s local laws or budget. That is a point in time.

That is the kind of thing that, even without statehood, I think we can get in the short run and getting more co-sponsors for statehood can only help us get that.

I do want to mention what my colleagues already know. There is not a poll, not a single poll, that does not show that Democrats will, in fact, be in the majority in the next Congress. That means, at the very least, the uphill climb will begin, even if statehood is not around the corner.

If ever there was an incentive for District residents to keep going in the streets, going to the Congress to get statehood, co-sponsors, this chart shows it. This chart illustrates what I have just said about the District of Columbia’s paying the highest Federal taxes in the United States.

If you live in California, to name a big State, if you live in New York—and I can go down the line—we do have a chart that shows where each State ranks. They are all beneath the District of Columbia.

What am I talking about? Almost $12,000 per resident in taxes paid by the people I represent to support the government that does not give them full representation.

I don’t have all the States listed here, but you can see how the line goes down until it gets to Mississippi, which has the lowest Federal taxes, whose citizens pay the lowest Federal taxes in the United States. Yet Mississippi has two Senators. I don’t remember how many Representatives, paying far lower Federal Government than the Americans I represent, yet they have full representation in the House and the Senate.

So, some may say, well, you’ve got 700,000 residents. Is that a lot of people? It is more residents than two of the States. Vermont and Wyoming each has one Representative, just like D.C., except that Representative can vote on this floor, and two Senators. But Vermont and Wyoming are representative of their States in the United States that have about the same number of residents as the District of Columbia.

I picked these two out only because I picked these two out only because they rank below DC. We are equal in population or near equal in population to seven States.

Perhaps it can be understood when you see that ranking, not to mention the ranking on per capita taxes, why we seek statehood for the District of Columbia.

This is not the first time I have sought statehood. I did so when I first came to the Congress. In 1993, I got the first and only vote on statehood. Let me tell you the results of that vote and why it is important that that threshold has been laid.

I was new to the House, and even the most fervent advocates for statehood did not predict that the vote would be 153 for statehood, 277 against. So I come, candidly, to tell you that we have gone on the floor for statehood before, and we didn’t get it.

Indeed, only 40 percent of the Democrats supported us. How could that be when you say, Congresswoman NORTON, that you have almost all of the Democrats now on the bill? The difference, of course, is that it was a very different Congress.

For 40 years, the Democrats had control of the Congress, and that was in no small part because of Southern Democrats.

By the way, Southern Democrats voted with the District on many, many bills. And in many ways, I would welcome them back. But, of course, they were more conservative Democrats than the Democrats now in the House.

Democrats fully recognize that when we get the majority—and I say “when” and not “if,” because I fully expect we will have the majority in the next Congress—that there will be some Democrats who are more conservative than I am and perhaps than the average Member of the House, and that is to be expected, if you want to be in the majority.

So I am not lamenting that we got only 40 percent in that first and only statehood vote. I am trying to make the case how votes come and why they come. We were very proud of that vote, because it was many more than had been predicted. The dancing in the House galleries up there because the vote came far above what the press was predicting the District was going to get and what even the District and its residents were predicting.

I hasten to add that, as I have already shown, the District is already a State in all but name and representation in this Congress. For example, when time comes for appropriation, unlike the territories—and I do want to distinguish us from the territories—they are our sisters in many ways, but Puerto Rico, Guam, the Virgin Islands, and the rest don’t pay Federal income taxes, so note that difference. Some of them—in fact, almost none of them—have come forward to request statehood.

There is now some interest in statehood by Puerto Rico. But the reason that most of the territories don’t come forward and ask for statehood is very clear. There is a quid pro quo for them. In exchange for not paying Federal taxes, they don’t have the votes in Congress. We pay Federal taxes, and we have no vote in Congress, making us unique in the union.

So, my friends, or at least virtually all my friends, in the territories don’t even ask for statehood. Sometimes they say, yes, we want statehood, but they understand that, for them, it is more difficult.

It is certainly true that, this late in the history of the United States, one has to wonder why the word “territory” is there and to hope for equality for the residents of the territories. That has to be up to them, so I don’t come here to speak for them. I only wish for them to be treated equally with other Americans.

When I say the District is already a State in ways that many count as
States, I even point to how the House does its appropriation. The District gets a per capita appropriation, in other words, based on our population. So if our population is 700,000, we will get the same as others who have that population. It is not true for the territories. Their basic complaint is that they do get Federal funding, but they don’t get the per capita funding that States get. There is a reason D.C. gets that per capita funding. It is because of tax funding we give to support our government.

So the government has recognized the District’s contributions in some ways. It simply has not given us the representation that a democratic country owes all its citizens.

Some may believe that the reason the District does not have statehood is that it needs help from the Federal Government. Far from it. It is the District that helps the Federal Government because of the strength of the city’s local economy. That local economy outrips in its strength many of the local economies of the States.

For example, the District’s own local budget is more than $12 billion. That is larger than the budget of 12 States that already have full representation in this Congress. These days it is hard to find a sizable surplus in the States, but the District’s surplus is almost $200 billion. That is money that the District puts away in taxes and other revenue it gets, mostly from its own citizens. That would make it, just that surplus, the envy of the country.

The District’s per capita income is higher than the per capita income of any State. This is not a poor city asking for help from the Federal Government. This is a city that helps the Federal Government with taxes paid without representation.

That taxation without representation on our part is the greatest grievance. It is also true that Republicans, who fancy themselves the local control party in the Congress, try their very best here in the House and in the Senate to take away what home rule or self-government that the District now has.

The District, in 1974, after almost 100 years, got the right to elect its own Mayor and city council. The last time it had that right, Republicans were in charge. And it was the Republicans who gave the District what we call home rule.

It is Democrats who took away that local self-government. It is the Democrats, my party, who were in charge most of the years we were without local government, that took it away. Many of them were more conservative or Southern Democrats. But there is no escaping that they were Democrats, and they were often in control of this House.

So, Republicans who come to this floor on both sides to argue even against Federal intervention even that is authorized by the Constitution and by Federal law. Isn’t it amazing that the party of local control would persistently interfere with the local control that the District of Columbia has had since 1973, but that is what we see. I just want to cite not all but to give examples of this interference and to indicate why I think this interference takes place, because it doesn’t take place as to the laws of the District of Columbia. What this does mean is that the Congress uses the fact that the District does not have statehood to intrude and attempt to overturn some local laws in the District of Columbia that they happen to disagree with.

Now, the District of Columbia is a big city. Like most big cities, even within the States, it is more progressive than other parts of our country.

So, although they have nothing to gain, Republicans try to make political points back home by intruding and trying to take away laws passed by the D.C. Council. I want to give examples of some of those laws and even to indicate some of the Members who helped get rid of the attempts to overturn our laws.

For example, our laws that have legalized recreational marijuana, that makes D.C. one of nine jurisdictions. Now, that is controversial, but the Congress has done nothing about those States that have departed from Federal law and legalized marijuana. The Republican Congress has done nothing about it.

But each and every Congress, the Congress keeps the District of Columbia from commercializing marijuana. I say “commercializing” because those States are now taxing marijuana. Marijuana is consumed everywhere in the United States. Nobody gets arrested for it anymore.

So these States have simply said, “What is pro forma law shall be law, and we will tax marijuana.” Well, the District of Columbia passed a law to legalize marijuana, and Republicans made an attempt to undermine that law, simply erase it. They were not very smart in the way they did it, and, thus, 2 ounces of marijuana is still legal to possess in the District of Columbia.

And it is interesting that, as marijuana laws have become more widespread in the United States, Republicans have not come back and attempted, yet again, to overturn our marijuana law.

The reason that the District was adamant about our marijuana law is the enormous disparities between who got arrested for marijuana offenses, which are misdemeanors but give you a record. They turned out to be largely African Americans. So we did not have the usual recreational marijuana reason for wanting to legalize marijuana. We had a different reason of great importance to our city.

Republicans failed to overturn the law, but they left us without the ability to commercialize marijuana, and look what that has done. That means that as The Washington Post reported—and we call them “riders.” “This amendment is a “license,” quoting a drug dealer, for me to print money.” Some call it the “Drug Dealer Protection Act” for his ability to commercialize marijuana, the drug dealers have not gone out of business here as they have in the States that have legalized and commercialized marijuana.

I want to name just a few other examples. We have a bill. Only one State—and two other localities have similar bills. It is called the “Reproductive Health Nondiscrimination Act.” It says that you can’t discriminate against one of your own employees or families based on the reproductive health decisions they make.

The Republicans are deep into the business of individuals by looking at such matters. For example, firing or not hiring a woman for having had an abortion, even if it was due to rape—and maybe that is why they knew about it in the first place because I don’t understand how you could even know about such private business—or firing a woman for having a woman for using in vitro fertilization.

Now, the reason that you have the District of Columbia and two other cities with similar laws is there have been some matters brought to the attention of their local legislature. This is an amendment, unlike the marijuana commercialization law, that I have been able to get removed, but it is an example of one that continues to come back.

One of the most troubling is the District’s abortion law. Mr. Speaker, 17 States use their own local funds on abortion for poor women. Federal funds for abortions have long been barred by the Congress, so these 17 States spend the money they receive from the Federal Government. Far from it, our legislation, which to this day cannot do so. There is a local nonprofit organization which helps women because of this amendment, but you can see what I mean about intruding in the most private of affairs.

I am not asking people to support the choices made by the District of Columbia. I am certainly not asking the Congress to do that. I am asking Congress to get out of our lives, to give us equality by our own citizens in choosing our laws, however conservative they may be.

Another example that is controversial—and I point this out because our laws sometimes are controversial and because other States have passed similar controversial laws. It is called, “D.C.’s Death with Dignity Act.”

The Congress has tried to bar, unsuccessfully, the District law that is law in six other States that allows self-administered lethal medication for people who have 6 months to live and who doctors have said are in such terrible pain or misery that these people, not the doctors, should be allowed to give themselves a lethal medication.
Talking about a private matter. I don’t know where most Americans stand on this. I am told that most approve it, by the way. But I know where the people I represent stand, and I know it is up to them and only them, and I suppose at least one more ought to be mentioned. How could I not? That is, the District has a local budget autonomy law. Republicans tried to abolish it. It gives the District the ability to have its local law go into effect without coming here to the Congress where they do nothing about it except try to use it as a bill allowing them to attach what we call “riders.” If you want to do an amendment, there has to be a bill. So they want our budget over here so that they can do amendments like the one I just discussed on marijuana. Well, we want to get rid of that by giving the District budget autonomy so that its local laws will not have to come here in the first place.

The Congress has tried to overturn the budget autonomy law and has been unsuccessful. The District went to court. The courts say our local budget autonomy law was, in fact, constitutional and legal. Although the Congress has not overturned it—and we are grateful for that—the Congress does pass a law saying the District’s local budget law is okay anyway. So you see how redundant that is? They don’t do anything about it, but they pass a provision and say, “We made it law. DC says it is already law.” But, it seems as if we get to the point where they don’t have anything to say about our local budget, we will not be the equal of the States.

What makes all of this interference particularly painful to the District of Columbia is how the District is viewed by those who have no axe to grind, and the best examples of those would be the rating agencies. For example, Moody’s has given the District a AAA rating. I would like to quote what Moody’s says about the District of Columbia and its economy and how its government is run. “The dynamism of the District’s economy has led to the largest population growth and significant growth in the tax base. Financial governance”—I repeat the words—“Financial governance is exemplary. Reserves are robust.”

Talking about people who have nothing to gain except seeing it as the data reports it. That was Moody’s speaking about how the District’s financial governance rates.

Let me quote Standard & Poor’s. Here is what Standard & Poor’s has to say. This is very important because it is a critique, in effect, of this Congress. By the way, they have given DC a AAA rating.

"We continue to have concerns about the role of the Federal Government in future District budgets. We view this as an ongoing factor that has a negative effect on the District’s finances and as a slight offset to the District’s otherwise very strong management practices."

In effect, what Standard & Poor’s is saying is it costs the District money—money in how the District pays—and I use that word advisedly—the District pays in dollars and cents because of congressional interference. And how the Congress interferes affects how investors view the District’s economy.

It is a price to be paid, literally, in dollars and cents by the residents of the District of Columbia. Now, I do not want to be misunderstood. I do not stand here and say, if you don’t give us statehood, there is nothing we can do to illustrate what we have to do. Yes, we have been successful sometimes in being treated equally with the States.

For example, just look at last year. We had to defeat 15 attempts to overturn the District’s local autonomy so that its local laws will not have to come here in the first place.

The Congress has tried to overturn the budget autonomy law and has been unsuccessful. The District went to court. The courts say our local budget autonomy law was, in fact, constitutional and legal. Although the Congress has not overturned it—and we are grateful for that—the Congress does pass a law saying the District’s local budget law is okay anyway.

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about taxes without representation is what I am crying about.

Yes, I know we can get funds, for example, for things my legislation for the Arlington Memorial Bridge, which brings people from the south to the Nation’s Capital.

Yes, I am grateful that, even in a Republican Congress, I have been able to get the Wharf bill passed. I have been able to get the Southeast waterfront bill, or Capital Riverfront as it is called, passed, that we got money for the Arlington Memorial Bridge.

And I bring those up because I don’t want to hear, well, if you are able to get things done, what is your problem?

My problem is what I have been discussing here. It is undoing what our city has done, undemocratically, and it is failure to give us the same representation in the Congress of the United States as every other taxpaying American.

Yes, sometimes I have to do the very unusual. There is a tax bill, for example, that just went through here. It is interesting to note it is not very popular with the American people, and I certainly was against it. I couldn’t vote for it or against it.

But if there is a bill going through here and I can find a way to get my District in it, I am going to try and get it in. So there are parts of this bill that promote incentives and investment in some of our low-income parts of the city, that make the private and affordable housing in the District of Columbia, so I am in the tax bill.

But I opposed the tax bill. In that way, I am like many other Democrats who voted “no” on this floor but, yet, tried to get in the bill and did get in the bill. That is how the Congress works.

Finally, nothing makes the case for D.C. statehood better than this chart showing the District war casualties in the 20th century when we fought our major wars: in World War I, more casualties than three States, Korean War, by that time it had gone up to more casualties than 8 States. By World War II, we were seeing more casualties than four States. Remember, the District is smaller than most States. And the Vietnam War, perhaps the very worst, more casualties than 10 States.

Since then, we have eliminated the draft, but this chart and these tombstones are the best case for equal treatment for the residents of the District of Columbia. Even as I speak, the residents of this city have volunteered and serve in a volunteer army.

These statistics illustrate the United States when we had a draft. So we don’t have a draft now, and, yet, District residents are found in every part of the country—forgive me—every part of the world where our troops are.

It is time that our country recognized our city and its residents and, particularly, those who now serve, those who served before them, and those who have died in service of their country.

We are now in the 21st century. It seems impossible we have gotten here: 217 years since the District of Columbia has been the Nation’s Capital; 217 years of inequality in your own country; 217 years of paying taxes without representation; 217 years of going to war without benefit of equal treatment even by those who served.

This is why, for those reasons, the residents, the American citizens I represent, cannot possibly give up on seeking equal treatment: first, by perfecting what is called home rule, or self-government; but certainly, by becoming a State like every other State, by no longer being treated, as Frederick Douglass said, as aliens, not citizens, but subjects.

We are Americans. That is why we insist that the American citizens in the District of Columbia become citizens of the 51st State of the United States of America.

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

APPOINTMENT OF INDIVIDUALS TO THE LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154), and the order of the House of January 3, 2017, of the following individuals on the part of the House to the Library of Congress Trust Fund Board for a 5-year term:

Mr. Lawrence Peter Fisher, Chevy Chase, Maryland

Mr. Gregory Paul Ryan, Hillsborough, California

APPOINTMENT OF MEMBER TO THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to 20 U.S.C. 2004(b) and the order of the House of January 3, 2017, of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation: Ms. Granger, Texas

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

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

Speaker PAUL RYAN, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: After a great deal of thought and prayer, I have decided to accept West Virginia Governor Jim Justice’s appointment to immediately take the oath of office to serve as a Justice on the People’s Court.

I wish to sincerely thank the people of West Virginia’s 3rd Congressional District for the distinct honor and opportunity they provided me to serve and represent them these past four years.

My outstanding congressional staff, district field staff and constituents service representatives are available, ready and committed to continue assisting the citizens of southern West Virginia until a new Member of Congress is elected.

Please accept this letter as my resignation effective at midnight, September 30, 2018.

Sincerely,

EYAN H. JENKINS, Member of Congress.


DEAR GOVERNOR JUSTICE: After a great deal of thought and prayer, I have decided to accept West Virginia Governor Jim Justice’s appointment to immediately take the oath of office to serve as a Justice on the West Virginia Supreme Court of Appeals. During this time of crisis, I hope to help restore the public’s trust and confidence in our state’s highest court.

In order to ensure Justice is administered fairly and without bias or conflict, I must resign my seat in the “People’s House” of the United States Congress so I may begin serving the citizens of West Virginia as a Justice on the People’s Court.

I wish to sincerely thank the people of West Virginia’s 3rd Congressional District for the distinct honor and opportunity they provided me to serve and represent them these past four years.

My outstanding congressional staff, district field staff and constituents service representatives are available, ready and committed to continue assisting the citizens of southern West Virginia until a new Member of Congress is elected.

Please accept this letter as my resignation effective at midnight, September 30, 2018.

Sincerely,

EYAN H. JENKINS, Member of Congress.

SENIATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:

S. 1768. An act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes; to the Committee on Science, Space, and Technology; in addition, to the Committee on Natural Resources; and the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3170. An act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes; to the Committee on the Judiciary.
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(c) An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the United States, to enroll the following:

S. 791. An act to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 1688. An act to rename a waterway in the State of New York as the “Joseph Sanfor J. Channel”.

S. 3479. An act to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 3483. An act to amend title 38, United States Code, to ensure that certain expenses of veterans are not prohibited pharmacy providers from providing certain information to enrollees.

S. 3485. An act to amend title 38, United States Code, to implement the provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 27, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 6157. Making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

ADJOURNMENT

Ms. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o’clock and 15 minutes p.m.), under its previous order, the House adjourned until Tuesday, October 2, 2018, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

6392. A communication from the President of the United States, transmitting designation of funding as an emergency requirement, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div. A, Sec. 113(b) (H. Doc. No. 115—138); to the Committee on Appropriations and ordered to be printed.

6393. A communication from the President of the United States, transmitting designation of funding as an emergency requirement for Global War on Terrorism all funding so designated by the Congress, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div A, Sec. 116 (H. Doc. No. 115—138); to the Committee on Appropriations and ordered to be printed.

6394. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-045-AD; Amendment 39-13678; AD 2018-17-21] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6395. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-046-AD; Product Identifier 2018-18-07; FAA-2018-0789; Product Identifier 2018-18-10] (RIN: 2120-AAG4) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6396. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-056-AD; Product Identifier 2018-18-05; FAA-2018-094-AD; Product Identifier 2018-17-02] (RIN: 2120-AAG4) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.


6398. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Boeing Commercial Airplanes [Docket No.: FAA-2018-049-AD; FAA-2018-094-AD; Product Identifier 2017-NM-141-AD; Amendment 39-13688; AD 2018-18-10] (RIN: 2120-AAG4) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.


6400. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2018-0789; Product Identifier 2018-18-10] (RIN: 2120-AAG4) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6401. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines [Docket No.: FAA-2017-1056; Product Identifier 2017-NE-39-AD; Amendment 39-13693; AD 2018-12-28] (RIN: 2120-AAG4) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6402. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2018-0112; Product Identifier 2017-17-24; FAA-2018-046-AD; Product Identifier 2018-17-13; RIN: 2120-AAG4] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6403. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0112; Product Identifier 2017-17-24; FAA-2018-046-AD; Product Identifier 2018-17-13; RIN: 2120-AAG4] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.
H.R. 6970. A bill to amend the Internal Revenue Code of 1986 to require public disclosure of individual tax returns of candidates for President and Vice President of the United States, and to the Committee on Ways and Means.

By Mr. FITZPATRICK:

H.R. 6971. A bill to prohibit immediate family members of heads of certain agencies and departments from soliciting or otherwise raising funds from certain foreign entities; to the Committee on Oversight and Government Reform.

By Ms. MAXINE WATERS of California (for herself, Mrs. CAROLYN B. MALONEY of New York, Mr. CLAY, Mr. AL GREEN of Texas, Ms. MOORE, and Mr. CLEAVER):

H.R. 6972. A bill to require the Consumer Financial Protection Bureau to meet its statutory purpose, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER:

H.R. 6973. A bill to provide temporary safe harbor for the development of hard forks of convertible virtual currency in the absence of administrative guidance; to the Committee on Ways and Means.

By Mrs. MCEACHIN:

H.R. 6974. A bill to provide a safe harbor from licensing and registration for certain non-controlling blockchain developers and providers of blockchain services; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN:

H.R. 6975. A bill to amend title 10, United States Code, to allow States and units of local government to purchase equipment suitable for school security activities through the Department of Defense; to the Committee on Armed Services.

By Mrs. WATSON-COLEMAN:

H.R. 6976. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for executive compensation unless the employer maintains a matching distribution for employees; to the Committee on Ways and Means.

By Mr. ALKAWI:

H.R. 6977. A bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself and Mr. SCOTT of Virginia):

H.R. 6978. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself, Mr. CURTIS, and Mr. STEWART):

H.R. 6979. A bill to approve the settlement of the water rights claims of the Navajo Nation in Arizona, Nevada, and New Mexico, and to the Committee on Natural Resources.

By Mr. BLUM (for himself and Ms. BALDWIN of California):

H.R. 6980. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following mastectomy; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUDD:

H.R. 6981. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income of certain amounts received as penalties by employers who volunteer as school resource officers; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. SHEARS, Mr. PORTENBERGER, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. GELHAYLA, and Ms. MCCOLLUM):

H.R. 6982. A bill to prohibit offshore the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes; to the Committee on Foreign Affairs.

By Mr. EMMER (for himself, Mr. JONES, and Ms. STAPFAN):

H.R. 6983. A bill to amend the Internal Revenue Code of 1986 to make public the names and addresses of persons contributing $50,000 or more to certain tax-exempt organizations and to require disclosure of foreign campaign contributions; to the Committee on Ways and Means.

By Mr. CORREA:

H.R. 6984. A bill to add suicide prevention resources to school identification cards; to the Committee on Education and the Workforce.

By Mr. CURTIS:

H.R. 6985. A bill to establish an Inter-country Adoption Advisory Committee, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOUFFY:

H.R. 6986. A bill to amend titles XVIII and XIX of the Social Security Act with respect to nursing facility requirements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ESCH:

H.R. 6987. A bill to amend the Communications Act of 1934 to provide for certain requirements relating to charges for internet, television, and voice services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRILALVA (for himself, Mr. HURD, Mr. MCKINLEY, and Mr. LANCE):

H.R. 6988. A bill to reauthorize the Museum and Library Services Act; to the Committee on Education and the Workforce.

By Mr. GROEGER:

H.R. 6989. A bill to restrict certain Federal assistance benefits to individuals verified to be citizens of the United States; to the Committee on Oversight and Government Reform.

By Mr. HIMES:

H.R. 6990. An act to create portable retirement and investment accounts for all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. HUFFMAN (for himself, Mr. JACKSON LEW, Mr. CARBAJAL, and Mr. McGovern):

H.R. 6991. A bill to provide for the upgrade of the vehicle fleet of the United States Postal Service, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. MOOLENAAR, and Mr. CUSSLAR):

H.R. 6992. A bill to reauthorize the Chemical Safety Board Standards Program of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself and Mr. BLUMENTHAL of Connecticut):

H.R. 6993. A bill to amend title 38, United States Code, to provide for the upgrade of the vehicle fleet of the United States Postal Service, and for other purposes; to the Committee on Ways and Means.

By Mr. KILDEE (for himself and Mr. STEFANIK of New York):

H.R. 6994. A bill to reauthorize the Chemical Safety Board Standards Program of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself and Mr. HUFFMAN of Georgia):

H.R. 6995. A bill to amend title 38, United States Code, to provide for the upgrade of the vehicle fleet of the United States Postal Service, and for other purposes; to the Committee on Ways and Means.

By Mr. KILDEE (for himself, Mr. THOMPSON of Pennsylvania, and Mr. KIND):

H.R. 6996. A bill to direct the Secretary of Education to establish a prize competition on programs to prepare high school students for in-demand industry sectors or occupations; to the Committee on Education and the Workforce.

By Mr. LATT (for himself, Mr. STIVER of Georgia, Mr. TIPPIN, and Mr. RENACCI):

H.R. 6997. A bill to amend the Homeland Security Act of 2002 to establish a new entity to ensure the provision of financial assistance to foreign count...
economic opportunities for Native American tribes, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O’HALLERAN:
H. R. 7001. A bill to amend title XVIII of the Social Security Act to provide for a combined Medicare part B and D drug out-of-pocket costs limitation; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWIEKERT:
H. R. 7002. A bill to amend the Electronic Signatures in Global and National Commerce Act to clarify the applicability of such Act to electronic records, electronic signatures, and smart contracts created, stored, or secured on or through a blockchain, to provide uniform national standards regarding the legal effect, validity, and enforceability of such records, signatures, and contracts, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHWIEKERT (for himself, Mr. WEBSTER of Florida, Mr. MISSEZE, and Mr. FORTENBERRY):
H. R. 7003. A bill to amend the Public Health Service Act to establish a health insurance Federal Invisible Risk Sharing Program; to the Committee on Energy and Commerce.

By Mr. AUSTIN SCOTT of Georgia:
H. R. 7004. A bill to amend the Motor Carrier Safety Improvement Act of 1999 with respect to the definition of agricultural commodities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SHEA-PORTEER (for herself, Mr. CARTHIGHT, Mr. DEFAZZO, Mr. NOLAN, and Mr. THOMPSON of Mississippi):
H. R. 7005. A bill to authorize the Secretary of the Interior to identify and declare wildlife case emergencies and to coordinate rapid responses to such emergencies for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN:
H. R. 7006. A bill to address the concept of “Too Big To Fail” with respect to certain financial entities; to the Committee on Financial Services.

By Mrs. TORRES:
H. R. 7007. A bill to require the Administrator of the Environmental Protection Agency to study State efforts to regulate certain uses of nitrous oxide, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. WAGNER (for herself and Ms. BASS):
H. R. 7008. A bill to amend the Trafficking Victims Protection Act of 2000 to modify the Trafficking in Persons report to include research on the relationship between human trafficking victims and national or subnational populations in which there is evidence of sex-selective practices, including, but not limited to, infanticide, gender-based neglect, or other forms of gender-based violence or discrimination; to the Committee on Foreign Affairs.

By H. Res. 199. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment; considered and agreed to.

By Ms. BONAMICI (for herself, Mr. GUTHEIER, Mr. KRISHNAMOORTHY, Mr. BAIER, Mr. BOUDREAU of Pennsylvania, Mr. COURTNEY, Mr. VELA, Mr. FITZPATRICK, Mr. BROWN of Maryland, Ms. JACKSON Lee, Mr. LOWENTHAL, Mr. ROBERTS, Mr. MAXINE JOHNSTON of Tennessee, Mr. RYAN of Arizona, and Mr. ROY of Iowa):
H. Res. 1100. A resolution designating September 2018 as “National Workforce Development Month” to raise awareness of the necessity of investing in workforce development to support workers and to help employers succeed in a global economy; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina (for himself, Mr. CONNOLLY, and Mr. CURBESI of Florida):
H. Res. 1101. A resolution affirming the historical relationship between the United States and the Kingdom of Morocco, condemning the continuedamelioration of the Polisario Front and its foreign supporters, and encouraging efforts by the United Nations to reach a peaceful resolution of the Western Sahara Conflict; to the Committee on Foreign Affairs.

By Mr. EMMER (for himself, Mr. SOTO, Mr. SCHWIEKERT, Mr. POLIS, and Mr. MCHENRY):
H. Res. 1102. A resolution expressing support for digital currencies and blockchain technology; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER (for himself and Mr. AL GREEN of Texas):
H. Res. 1103. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Mr. POR of Texas, Mrs. DINGELL, Mr. MEKES, Mr. VELAZQUEZ, Mr. NORTON, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, Ms. JACKSON Lee, Ms. MOORE, Mr. BROWN of Maryland, Mr. GIBRALTAR of New Hampshire, Ms. TITUS, Mr. VELA, Mr. THOMPSON of Mississippi, Ms. BEATTY, Mrs. LAWRENCE, Mrs. WATERS of California, Ms. LOWUREN, Mr. ADAMS, Ms. BASS, Mr. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLAY, Mr. CLEAVER, Mr. DANNY K. DAVID of Illinois, Ms. DEMINGS, Ms. FUDGE, Mr. EVANS, Mr. ELLISON, Mr. HASTINGS, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Mr. LEWIS of Georgia, Mr. RICHMOND, Mr. RUSH, Mr. SHAW of Alabama, Mr. VERA, Mrs. BUSTOS, Mr. MCNERNEY, Ms. CLARK of Massachusetts, Mr. GUIJALVA, Mr. PAYNE, Mr. CÁRDENAS, Mr. ENGEL, Ms. JAYAFAL, Mr. RASKIN, Ms. LEW, Ms. PHILAKERT, and Mr. VARGAS):
H. Res. 1104. A resolution supporting the goals and ideals of October as “National Domestic Violence Awareness Month” and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence and its effects on individuals, families, and communities, and support programs designed to end domestic violence in the United States; to the Committee on Education and the Workforce.

By Mrs. LOVE (for herself, Mr. STEWART, Mr. CURTIS, and Mr. BISHOP of Utah):
H. Res. 1105. A resolution designating Salt Lake City, Utah, as the western center of the centennial commemoration of the 19th amendment to the Constitution, in coordination with Better Days 2020, and designating Cheyenne, Wyoming, Denver, Colorado, Helena, Montana, and Seneca Falls, New York, as sister cities in those celebrations; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Mr. CLARKE of New York, Ms. JACKSON Lee, Mr. McCACHIN, Mr. RASKIN, Mr. MEERS, Mr. TAKANO, and Mr. THOMPSON of Mississippi):
H. Res. 1106. A resolution supporting the designation of October 6, 2018, as National Ostomy Awareness Day; to the Committee on Oversight and Government Reform.

By Mr. RECHTERT (for himself and Mr. PASCRELL):
H. Res. 1107. A resolution supporting the designation of National Secure Your Load Day; to the Committee on Transportation and Infrastructure.

By Mr. SCHWIEKERT (for himself, Mr. POLIS, and Mr. EMMER):
H. Res. 1108. A resolution expressing the sense of the House of Representatives that blockchain has incredible potential that must be nurtured through support for research and development of thoughtful and innovation-friendly regulatory approach; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOUTZI:
H. Res. 1109. A resolution expressing support for the designation of October 8, 2018, as “Columbus Day”; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT
Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LEWIS of Minnesota:
H. R. 6965. Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the Constitution of the United States

By Mr. THUPTON:
H. R. 6965. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mr. PALAZZO:
H. R. 6966. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the U.S. Constitution

By Mr. BISHOP of Utah:
H. R. 6966. Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the U.S. Constitution
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. FITZPATRICK:
H.R. 6970.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. FITZPATRICK:
H.R. 6971.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. FITZPATRICK:
H.R. 6972.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. EMMER:
H.R. 6973.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Mr. EMMER:
H.R. 6974.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. MAST:
H.R. 6975.

Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause in Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. WATSON COLEMAN:
H.R. 6976.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. NOLAN:
H.R. 6977.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause 18 of the United States Constitution, “The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. CHABOT:
H.R. 6978.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation rests is enumerated in Article I, Section 8, Clause 18 of the United States Constitution, “The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. CHABOT:
H.R. 6979.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation rests is enumerated in Article I, Section 8, Clause 18 of the United States Constitution, “The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. BISHOP of Utah:
H.R. 6980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BUDD:
H.R. 6981.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BUDD:
H.R. 6982.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18

By Mr. CONAWAY:
H.R. 6983.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. CORREA:
H.R. 6984.

Congress has the power to enact this legislation pursuant to the following:

(1) The U.S. Constitution including Article I, Section 8.

By Mr. CURTIS:
H.R. 6985.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. DUFFY:
H.R. 6986.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. ESHOO:
H.R. 6987.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GRJIALVA:
H.R. 6988.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GROTHMAM:
H.R. 6989.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. HIMES:
H.R. 6990.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, as this legislation provides for the general welfare of the United States.

By Mr. HUFFMAN:
H.R. 6991.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 8, Article I of the U.S. Constitution

By Mr. KATKO:
H.R. 6992.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. KILDEE:
H.R. 6993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. KILDEE:
H.R. 6994.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KILMER:
H.R. 6995.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. LATTAN
H.R. 6996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. SCHWEIKERT:
H.R. 7001.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution which reads: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts, and provide for the common Defense and general Welfare of the United States, and all Duties and Imposts and Excises shall be uniform throughout the United States.

By Mrs. NOEM:
H.R. 7002.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. O’HALLERAN:
H.R. 7003.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. SCHWEIKERT:
H.R. 7004.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Ms. SHEA-PORTER:
H.R. 7065.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mr. SHERMAN:
H.R. 7066.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mrs. TORRES:
H.R. 7067.
Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8: Clause 18 of the United States Constitution, see below, this bill falls within the Constitu-
tional Authority of the United States Congress.

Article I, Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mrs. WAGNER:
H.R. 7068.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
Article I, Section 8, Clause 3
Article I, Section 8, Clause 10
Amendment XIII (relating to slavery and involuntary servitude)

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 76: Mr. CLOUD.
H.R. 559: Mr. BUDD.
H.R. 592: Mr. HUFFMAN and Mr. GROTHMAN.
H.R. 671: Mr. COOPER.
H.R. 714: Mr. GROTHMAN.
H.R. 718: Mr. GROTHMAN.
H.R. 840: Mr. THOMPSON of Pennsylvania.
H.R. 930: Mr. SIMPSON.
H.R. 1017: Mr. TROTZ, Mr. GRANGER, Mrs. DINGELL, Mrs. MURPHY of Florida, Ms. JUDY CHU of California, Mr. LATTA, Mr. GONZALES of Texas, Mr. CURELLO of Florida, Ms. GARRARD, and Mr. DUFFY.
H.R. 1111: Ms. FUDGE.
H.R. 1234: Mr. WALDEN.
H.R. 1291: Mr. SWALWELL of California.
H.R. 1300: Mr. COOPER, Mr. GARAMENDI, and Mr. CLEAVER.
H.R. 1318: Mr. GRIFFITH and Mr. KIHUEN.
H.R. 1437: Mr. LEWIS of Georgia.
H.R. 1447: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. RICHMOND.
H.R. 1456: Mr. TURNER and Ms. CLARKE of New York.
H.R. 1467: Mr. TAKANO.
H.R. 1515: Mr. CORNEZ.
H.R. 1532: Mr. CARTER of Georgia.
H.R. 1602: Mr. RASKIN and Mr. PCAN.
H.R. 1612: Mr. SMITH of Washington.
H.R. 1661: Mr. ROTHSU and Mr. SMITH of New Jersey.
H.R. 1906: Mr. TAKANO.
H.R. 1937: Mr. CLAY, Ms. CASTOR of Florida, Mr. PAYNE, Mr. COURTNEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LARSON of Connectic-
H.R. 1940: Mr. McGOVERN.
H.R. 2119: Mr. CLAY, Mr. RICHMOND, Mr. MI-
H.R. 2212: Mr. GROTHMAN and Mr. LIPINSKI.
H.R. 2215: Mr. PAYNE, Mr. COURTNEY, Mr. LARSON of Connectic-
H.R. 2216: Mr. BISHOP of Georgia.
H.R. 2217: Mr. COURTNEY, Mr. SHERMAN, Mr. RICHMOND, and Mr. O’ROURKE.
H.R. 2218: Mr. BRADY, Mr. PHILIPPA of New York, Mr. PAYNE, Mr. COURTNEY, Mr. LARSON of Connectic-
H.R. 2219: Mr. CLAY, Mr. RICHMOND, Mr. MI-
H.R. 2315: Mr. LAHSEN of Washington.
H.R. 2355: Mr. FITZPATRICK.
H.R. 2358: Mr. SMITH of New Jersey, Mr. YOHAY, Mr. O’ROURKE, Mr. COURTNEY, Mr. LARSON of Connectic-
H.R. 2410: Mr. McGOVERN.
H.R. 2472: Ms. SPEIER.
H.R. 2476: Mr. NADLER.
H.R. 2498: Mr. RICHMOND.
H.R. 2566: Mr. VELA, Ms. TUTTS, and Mr. CARTWRIGHT.
H.R. 2644: Mr. TED LIEU of California.
H.R. 2801: Mr. LOWENTHAL.
H.R. 2902: Mr. SABLAN.
H.R. 2911: Ms. TUTTS and MR. DUFFY.
H.R. 2925: Mr. TED LIEU of California and Mr. KATKO.
H.R. 2926: Ms. PINGREE.
H.R. 2957: Mr. RUSSELL.
H.R. 2972: Mr. TED LIEU of California.
H.R. 3325: Mr. SMITH of Texas, Mr. FLORES, Mrs. MCMORRIS RODGIES, and Mr. BARR.
H.R. 3378: Mr. HUFFMAN.
H.R. 3415: Mr. BISHOP of Michigan.
H.R. 3509: Mr. H. F. DOYLE of Pennsylvania.
H.R. 4022: Ms. ROSIN, Ms. BROWNLY of California, Ms. ROYBAL-ALLARD, Mr. CARTWRIGHT, and Mr. BISHOP of Georgia.
H.R. 4099: Mr. H. F. DOYLE of Pennsylvania.
H.R. 4107: Mr. TAKANO, Mr. HIGGINS of New York, Mr. WELCH, and Mr. CUMMINGS.
H.R. 4143: Mr. RUSSELL.
H.R. 4206: Mr. BORODINO.
H.R. 4209: Mr. LEE.
H.R. 4205: Mr. GOTTHEIMER.
H.R. 4271: Mr. DESAULNIER.
H.R. 4444: Mr. KATKO.
H.R. 4622: Ms. NORTON.
H.R. 4647: Mr. BRENDA F. BOYLE of Pennsylvania, Mr. COURTNEY, Mr. LIPINSKI, Ms. SPEIER, Mr. RUSH, and Mr. TURNER.
H.R. 4732: Mr. BUCHANAN, Mr. KELLY of Pennsylvania, and Ms. BROWNLY of California.
H.R. 4953: Mr. KELLY of Illinois.
H.R. 4957: Mr. TED LIEU of California.
H.R. 5062: Mr. RASKIN.
H.R. 5106: Mrs. DINGELL, Mr. EVANS, Mr. HASTINGS, Mr. HUFFMAN, Mr. LANGEVIN, Mr. SOTO, Mr. BUMENAUER, Mr. LEWIS of Geor-
H.R. 5129: Mr. ROYBAL-ALLARD, Mr. CARBAJAL, Mr. McGOWEN, Mr. THOMSON of Mississippi, Ms. TSONGAS, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSENMANN SCHULTZ, Ms. MAXINE WATERS of California, Mr. WELCH, Ms. WILSON of Florida, Mr. RUSH, Mr. BEN RAY LUJAN of New Mexico, and Ms. CLARK of Massachusetts.
H.R. 5965: Mr. BROOKS of Alabama, Ms. HANABUSA, Ms. ROBY, and Ms. NAPOLITANO.
H.R. 6016: Mr. ROSEN.
H.R. 6028: Mr. VISCOLOSKY.
H.R. 6032: Mr. CLAY, Mr. WALZ, Ms. COURT-
H.R. 6037: Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. O’ROURKE.
H.R. 6048: Mr. RASKIN.
H.R. 6066: Mr. ESHO and Mr. BUMENAUER.
H.R. 6114: Mr. LANCE, Mr. TAKANO, Ms. MCEAICH, Mr. RICHMOND, and Mr. SHAN PATRICK MALONEY of New York.
H.R. 6268: Mr. BURGESS.
H.R. 6274: Mr. RASKIN.
H.R. 6292: Mr. PANETTA.
H.R. 6415: Mr. BLUNT-ROCKSTEAD.
H.R. 6466: Ms. SHEA-PORTER.
H.R. 6471: Mrs. WAGNER and Mr. LONG.
H.R. 6506: Mr. BISHOP of California.
H.R. 6512: Mr. WILSON of South Carolina.
H.R. 6514: Mr. CLOUD.
H.R. 6515: Mr. BARRANES.
H.R. 6519: Mr. WEEBER of Texas.
H.R. 6536: Mr. PINGREE.
H.R. 6540: Mr. TAKANO.
H.R. 6541: Mr. MCNERNEY.
H.R. 5533: Ms. SPEIER, Mr. COSTA, Mr. LIPIŃSKI, and Mr. RICHMOND.
H.R. 5541: Mr. PCAN, Ms. CLARK of Mas-
H.R. 5545: Mr. MATSU and Ms. PINGREE.
H.R. 5561: Mr. ARRINGTON, Mr. BARNIN, Mr. AUSTIN SCOTT of Georgia, Mrs. COMSTOCK, Mr. VELA, Mr. LAMALFA, Ms. JACKSON LEE, Mr. GAERTZ, Ms. DE BENO, Ms. BASS, Mr. CONNOLLY, Mr. VRASBY, Mr. BRYER, Mr. BRAT, Mr. QUIDLEY, Mr. RADY of Texas, Mr. GORT-
H.R. 5780: Mr. BRAT.
H.R. 5814: Mr. PINGREE.
H.R. 5856: Mr. LAMALFA.
H.R. 5879: Mr. VELA, Ms. BASS, Mr. COURT-
H.R. 5870: Mr. RICHMOND.
H.R. 5814: Mr. PINGREE.
H.R. 5856: Mr. LAMALFA.
H.R. 5879: Mr. VELA, Ms. BASS, Mr. COURT-

September 28, 2018

H9408 CONGRESSIONAL RECORD — HOUSE
H.R. 6898: Mr. Newhouse.
H.R. 6900: Ms. Jayapal and Mr. Pocan.
H.R. 6909: Ms. Eshoo.
H.R. 6927: Mrs. Napolitano.
H.R. 6953: Mr. Larsen of Washington.
H.J. Res. 140: Mr. Garamendi, Ms. Delauro, and Ms. Pingree.
H. Con. Res. 138: Mr. Castro of Texas, Mr. Huffman, and Mr. Nadler.
H. Con. Res. 140: Mr. Swalwell of California and Mr. Delaney.
H. Res. 213: Mr. Gallego.
H. Res. 342: Mr. Khanna.
H. Res. 864: Mrs. Torres and Mr. Russell.
H. Res. 910: Mr. Wilson of South Carolina.
H. Res. 996: Mr. Kilburn.
H. Res. 1031: Ms. Bonamici.
H. Res. 1033: Mr. Lamborn.
H. Res. 1043: Ms. She-Porter, Mr. Renacci, and Mrs. Davis of California.
H. Res. 1055: Mr. Perry.
H. Res. 1065: Mr. Polis.
H. Res. 1087: Mr. Buchanan.
H. Res. 1093: Ms. McSally and Mr. Valadao.
H. Res. 1095: Mr. Swalwell of California and Mr. McNERNEY.
The Senate met at 2 p.m. and was called to order by the Honorable John Boozman, a Senator from the State of Arkansas.

**PRAYER**

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

Let us pray.

Infinite Spirit, Creator of Heaven and Earth, the sea, and all that lives in it, thank You for the gift of another day. We praise You that You are the same yesterday, today, and forever. Remind us of the foolishness of seeking security apart from You.

Bless our lawmakers. Protect them in their work as You give them Your peace. Be for them a light in the darkness and a shelter from life’s storms. Lord, give them the wisdom to make decisions that will bring glory and honor to Your Name.

We pray in Your great 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 from the President pro tempore (Mr. Hatch).

The senior assistant legislative clerk read the following letter: U. S. SENATE, PRESIDENT PRO TEMPORE, Washington, DC, September 28, 2018. To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable John Boozman, a Senator from the State of Arkansas, to perform the duties of the Chair.

**RESERVATION OF LEADER TIME**

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

**MORNING BUSINESS**

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

**NO MOTION**

Without objection, it is so ordered that the order for the quorum call be rescinded.

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**PRAYER**

The Acting President pro tempore. The Senator from Mississippi is recognized.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

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

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

**NO MOTION**

The Senate proceeded to call the roll.

**RESERVATION OF LEADER TIME**

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

**NO MOTION**

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**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

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

Mr. BOOZMAN thereupon assumed the Chair as Acting President pro tempore.
on, like seeing Mark Judge at the supermarket a few weeks later, and she seemed not to be able to understand why nobody was digging into these details that could help uncover even more.

She said she came to be helpful. She wants to be more helpful. She did her job as a U.S. citizen, and she was simply asking for Senators to do theirs.

Then, I watched Judge Kavanaugh, and, frankly, I was appalled and dismayed. I felt the rage on his face: the sense of entitlement he displayed; refusing to answer questions, sneering at Senators while he demanded they answer his questions; the outrage that he was even being questioned about an issue like this after all he has done for his country; not an ounce of contrition; not a modicum of shame; the attempts over and over to turn this away from the substance, the allegations from women against him, and the facts that could shine a light on them, and toward the process and a political party; the continued falsehoods and evasions and things he said that just are not credible, from his claims that he never got blackout drunk and had memory lapses during a night of drinking, to everything we have heard from people who know him and everything we have heard from him and about him in the past about his younger days, to his claim that he and Dr. Ford didn’t “travel in the same social circles,” when we know that is just not true—he has said before that he was good friends with Holton-Arms girls, and we know Dr. Ford dated a good friend of Judge Kavanaugh, who introduced the two of them—to his absolutely false claims that the committee had already received all the evidence it needs, which, as a judge, he knows is simply not the case, and on and on.

But the most striking thing to me was how much this troubled every Senator pays close attention to because I know it is what people across the country saw vividly and repeatedly—and that is the fact that Judge Kavanaugh so clearly does not want an investigation. He does not want the facts to come out. He doesn’t want other witnesses to be brought in who, if he is telling the truth, could corroborate his story and help clear his name.

He certainly doesn’t want anyone to hear from the other two women who have come forward with the witnesses regarding him and sexual assault and who are willing to come and testify under oath.

He wants to rush through this as quickly as he can with as little information as possible, winding out. Is that how someone acts if they truly have nothing to hide? Is this how someone behaves if they truly want to clear their good name? Is this what someone truly innocent of everything he is being accused of truly would do?

I want to close by setting aside what I thought she was telling the truth. But I want to set that aside to make one more point because maybe some of my colleagues watched that hearing yesterday and didn’t see it the same way I did. Maybe they saw that hearing and thought Dr. Ford was credible, and they also thought Judge Kavanaugh was credible. Maybe they thought: This is a he said, she said, and I just don’t know whom or what to believe.

Here is my message to those colleagues of mine. Yesterday’s hearing does not have a final word. There is absolutely no rush—none, zero. We have an opportunity to take a breath and slow down and let this process work the way it is supposed to.

The 11 Republicans on the Judiciary Committee may have scrambled to rush this through their phase, but we do not have to follow suit here in the Senate. We can have the FBI investigation. We can continue our own investigations. We can bring in additional, relevant witnesses in the most appropriate ways or hold additional hearings.

I know we all want this to be over. Trust me, I wish we didn’t have to go through this, but we simply cannot allow the Supreme Court Justices to be jammed through like this right now. It would be a disgrace. It would damage the integrity of the Supreme Court, and it would shred whatever integrity we have left here in the Senate.

So I say to Judge Kavanaugh: Even if you hate how this process has gone so far, even if you wish this had been done differently and that the information had come out about these allegations sooner, even if you think this was bungled completely, even if you want to point fingers and blame Democrats for that—fine, but we are right here, right now. We are facing one of our most important jobs as Senators, laid out in article II, section 2 of our Constitution, to provide advice and consent on Supreme Court nominations.

We can litigate how this went later. I am sure there are ways it could have gone better. We can figure that out. We should figure that out so we can do better next time, but we should not—we cannot—let anger and pique over processes and politics cloud what is clearly the right thing to do here.

I hear there are conversations going on in the Judiciary Committee right now about slowing down and starting in that direction, and hopeful that those end up leading us to being able to do our jobs. No one should want those allegations hanging out there or should want the investigations to happen and information to come out while he is on the Court.

Let’s slow down. Let’s learn more. Let’s put a man on the Supreme Court with these allegations swirling around him while we still have the opportunity to clear this up and get it right.

Finally, I want to say one more thing right now to women and survivors who are angry, who are dispirited, who have reached out to me and told me they are shocked; they are crying; they are in disbelief. To them, I say we all have a right to these tears, but we all have a duty not to give up. I am not going to give up on this fight of making sure that everything forward are not ignored, swept under the rug, or silenced by powerful men. I know that I stand with millions and millions of women and men across the country who are watching the U.S. Senate very closely right now and that they are not going to give up either.

I yield the floor.

I suggest the absence of a quorum.

PRO TEMPORE [Mrs. Ernst]. Without objection, it is so ordered.

NOMINATION OF BRETT KAVANAUGH

Ms. HIRONO. Madam President, these are the remarks I would have given at this morning’s Judiciary Committee markup after the perfunctory and dismissive way the chairman treated the minority members of the Judiciary Committee. I walked out in protest. Here are the remarks I would have given at the committee markup, and for those who are here today voting on Brett Kavanaugh’s nomination to the Supreme Court. Outrageous does not begin to describe the present circumstances. Yesterday we heard from Dr. Christine Blasey Ford, who spoke with genuine and raw emotional power about being sexually assaulted by Brett Kavanaugh. Even though it was more than 30 years ago, her memory of the assault was clear and vivid. This kind of recall is typical of sexual assault survivors. She was sincere and authentic; she was 100 percent credible, and I believe her.

By contrast, Brett Kavanaugh came to this committee and refused to give us straightforward answers. He would not call for an FBI investigation. He repeatedly stated that the other people who were at the gathering where Dr. Ford was attacked had “rebutted her testimony.” That is not true. His alleged accomplice in the attack, Mark Judge, claimed he didn’t remember—a far cry from rebutting her statement. He claimed he didn’t remember, refused to testify, and then went into hiding. Patrick Smyth and Leland Keyser said they simply don’t remember—again, hardly a rebuttal.

Dr. Ford said yesterday: I don’t expect that P.J. and Leland would remember this evening. It was a very remarkable party. It was not one of their more notorious parties, nothing remarkable happened to them that evening.

In fact, even though she doesn’t remember, Leland Keyser said she believes Dr. Ford’s account.
In addition to making misleading statements—which is a pattern with Judge Kavanaugh—he accused Democratic Senators of coordinating a plot to sabotage his nomination. Clearly, he was speaking to an audience of one: President Trump. A nominee to the Supreme Court so evidently that he would buy into a vast conspiracy theory is astounding and dangerous. Let’s not forget his exact words. Judge Kavanaugh said:

This two-week effort has been a calculated and orchestrated political hit fueled with apparent pent-up anger about President Trump and the 2016 election, fear that has been stoked for months, and a calculated opportunity to sabotage his nomination. I can only call it a deliberate and calculated smear campaign designed to demean and assault women.

Yesterday, accusations flew from the other side of the aisle about deliberate efforts to make up accusations and undermine Judge Kavanaugh’s nomination, but Democrats didn’t need to manufacture additional reasons to oppose Judge Kavanaugh’s nomination. As I have maintained before, his record demonstrates a pattern of misstating the facts. He wasn’t candid yesterday. He wasn’t candid in his testimony to the committee when he testified at his 2004 and 2006 confirmation hearings or when he testified at his confirmation hearing for this nomination in 2018.

I also found his candor lacking in the judicial opinions and legal arguments he authored. For example, as my colleagues have talked about in the past, Judge Kavanaugh was not honest with the committee in 2004 and 2006 when oral arguments were worked on, and his emails from the White House show that he was not honest about his awareness of receiving stolen documents from Manny Miranda. In a case I am familiar with—Rice v. Cayetano—he demonstrated what could only be called a deliberate misstatement of the facts that he presented to the U.S. Supreme Court. He had to have known that what he wrote about the politics and culture of Native Hawaiians was not true. He filed an amicus brief in that case, and at his hearing a few weeks ago, Judge Kavanaugh misstated the holdings of Rice and refused to correct his misstatement when I gave him a chance to clarify.

I will say that I am one of the few people in the Senate who attended the oral argument in Rice. I know what the Supreme Court based its decision on, and he totally misstated the Supreme Court’s decision.

Advocates for our Native communities are stepping up and taking notice. The Council for Native Hawaiian Advancement and the Alaska Federation of Natives issued statements that strongly urge the Senate to reject the nomination of Brett Kavanaugh. They and other groups representing indigenous peoples have come forward to explain how Judge Kavanaugh’s views of the rights of indigenous peoples are deeply flawed. These are the kinds of attitudes that he expressed in his amicus brief in Rice v. Cayetano.

Madam President, I ask unanimous consent that the following statements be printed in the RECORD. They are from the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and the Alaska Federation of Natives.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
least a thousand years prior to recorded contact with the Western world. Congress has acknowledged that “... prior to the arrival of the first Europeans in 1788, the Na-tive Hawaiians lived in a high degree of civilized, self-sufficient, subsistent social system based on communal land tenure with a sophisticated language, culture, and religious belief system.” The Native Hawaiian people established and maintained the Kingdom of Hawai‘i, first as a united monarchical government, and later as a constitutional monarchy, at all times under the leadership of a Native Hawaiian head of state.

Judge Kavanaugh’s description of the relationship between the U.S. and Native Hawaiians is not as well known as it should be. It is concerning that Kavanaugh offered the same arguments as his arguments against the constitutionality of the Indian Child Welfare Act. The Indian Child Welfare Act is a federal law that provides for the protection of the best interests of Native children when their parents or guardians are about to be terminated. Kavanaugh offered few specifics beyond that statement. Judge Kavanaugh may find it interesting that in the years following the Supreme Court’s decision in Hawaii v. Madigan, the federal government has established and maintained the Kingdom of Hawai‘i. The Native Hawaiian people established and maintained the Kingdom of Hawai‘i, first as a united monarchical government, and later as a constitutional monarchy, at all times under the leadership of a Native Hawaiian head of state.

Judge Kavanaugh’s description of the relationship between the U.S. and Native Hawaiians is not as well known as it should be. It is concerning that Kavanaugh offered the same arguments as his arguments against the constitutionality of the Indian Child Welfare Act. The Indian Child Welfare Act is a federal law that provides for the protection of the best interests of Native children when their parents or guardians are about to be terminated. Kavanaugh offered few specifics beyond that statement. Judge Kavanaugh may find it interesting that in the years following the Supreme Court’s decision in Hawaii v. Madigan, the federal government has established and maintained the Kingdom of Hawai‘i. The Native Hawaiian people established and maintained the Kingdom of Hawai‘i, first as a united monarchical government, and later as a constitutional monarchy, at all times under the leadership of a Native Hawaiian head of state.

For example, he compared OHA’s mission of serving Native Hawaiians to a corporation, 12 not-for-profit regional organizations, and a number of tribal consortia that compact and contract to run federal and state programs. Judge Kavanaugh’s writings demonstrate a limited view of the federal government’s power to deal with Native peoples under this relationship. Specifically, he would only extend the special trust relationship to Indian tribes with his preferred history of federal dealings, including territorial removal and isolation. This, too, impacts Alaska since Alaska Natives have a unique federal experience and few reservations were established. During his Senate Judiciary Committee hearing, Judge Kavanaugh questioned the legitimacy of Native Hawaiian recognition, citing their different treatment by the federal government, and the fact that they do not live on reservations or enclaves. If he were a U.S. Supreme Court justice, he would likely extend the special trust relationship only to Indian tribes with his preferred history of federal dealings, including territorial removal and isolation. This thinking could overturn much, if not all, of the Alaska Native Claims Settlement Act, as well as all other federal legislation and regulations addressing Alaska Natives, tribes, corporations, and organizations. To confirm a nominee who does not understand or appreciate the position of Native Hawaiians, and who could weaken the special trust relationship Alaska Natives share with the federal government, would be disastrous for Alaska and would roll back the gains of self-determination and usher back in the losses of termination.

Judge Kavanaugh’s View of the Special Trust Relationship

The relationship commands the highest regard in the legal opinions issued in early federal-tribal treaties, the U.S. Constitution, federal statutes, and opinions of the U.S. Supreme Court. Judge Kavanaugh’s writings demonstrate a limited view of the federal government’s power to deal with Native peoples under this relationship. Specifically, he would only extend the special trust relationship to Indian tribes with his preferred history of federal dealings, including territorial removal and isolation. This thinking could overturn much, if not all, of the Alaska Native Claims Settlement Act, as well as all other federal legislation and regulations addressing Alaska Natives, tribes, corporations, and organizations. To confirm a nominee who does not understand or appreciate the position of Native Hawaiians, and who could weaken the special trust relationship Alaska Natives share with the federal government, would be disastrous for Alaska and would roll back the gains of self-determination and usher back in the losses of termination.

Judge Kavanaugh does not understand or appreciate the position of Native Hawaiians, and who could weaken the special trust relationship Alaska Natives share with the federal government, would be disastrous for Alaska and would roll back the gains of self-determination and usher back in the losses of termination.
established legal doctrine. Confirming a nominee who is unable to grasp the necessity of federal programs based on the political classification doctrine, and articulate why they would lose, would be unwise. AFN strongly urges the U.S. Senate to vote against Judge Kavanaugh. The documents that have been released so far in relation to the FBI’s investigation into Dr. Blasey Ford’s allegations raise serious doubt that the nomination should be withdrawn. The FBI investigation into Dr. Blasey Ford’s allegations should be ordered to be printed in the RECORD. NLRB, the majority wrote that Judge Kavanaugh “applies the law as he wishes it were, not as it currently is.” In a 2008 case, Agri Processor v. States v. Anthem, the majority said that Judge Kavanaugh “applies the law and when I asked him about it, he said that was a case involving parental consent. It was not. The case, which was about whether a 17-year-old undocumented young woman could be released from immigration custody to have an abortion, did not involve the question of parental consent. But he sat there at his nomination hearing and when I asked him about it, he said that was a case involving parental consent—a total misstatement of the issue in that case, that case, this young woman had already received a proper judicial bypass from a Texas judge that allowed her to make her own decisions. So that had nothing to do with having to require parental consent; she had already done that. But that wasn’t good enough for Judge Kavanaugh. He inserted his own views about legal issues not even present in the case. This is just one example of his outcome-driven approach to important cases before him. At the hearing, I also asked him about the pattern that was revealed in his numerous dissents. In several of those cases, his own colleagues called him out for misrepresenting the facts and the law. Just last year, in United States v. Blasquez, the majority said that Judge Kavanaugh “applies the law as he wishes it were, not as it currently is.” In a 2008 case, Agri Processor v. NLRB, the majority wrote that Judge Kavanaugh’s dissent “creates its own rule.” Instead of following Supreme Court rules, they said that Judge Kavanaugh’s dissent abandons the text of the applicable law altogether. It is pretty telling when your own colleagues call you out on that. When this nomination first came to the Senate, I was skeptical. I said that if the President’s nominee to the Supreme Court is anything like the nominees he has been sending to the lower Federal courts, I expect we will see a nominee handcuffed by the Federalist Society and the Heritage Foundation intent on carrying out their rightwing ideology supported by the President. It turned out to be much worse than I imagined. Now only was the nominee someone who fit that description; it became clear that he was someone who lacked candor, credibility, and character. This has been displayed at every turn. After hearing from Dr. Ford and Brett Kavanaugh yesterday, the editors of America Magazine—a well-respected Jesuit weekly—withdraw. They withdrew their endorsement of Judge Kavanaugh. This group withdrew their endorsement of Judge Kavanaugh. They said: "We previously endorsed the nomination of Judge Kavanaugh on the basis of his legal credentials and his reputation as a committed textualist, it is now clear that the nomination should be withdrawn. If Senate Republicans proceed with his nomination, their policy aims over a woman’s report of an assault. Madam President, I ask unanimous consent that a portion of a copy of this article be printed in the RECORD. There being no objection, the material was inserted to be printed in the RECORD, as follows: [From America Magazine, Sept. 27, 2018] THE EDITORS: IT IS TIME FOR THE KAVANAUGH NOMINATION TO BE WITHDRAWN

(By The Editors) Dr. Christine Blasey Ford’s testimony before the Senate Judiciary Committee today clearly demonstrated both the seriousness of her allegation of assault by Judge Brett M. Kavanaugh and the weakness of the case for the whole country. Judge Kavanaugh denied the accusation and emphasized in his testimony that the opposition of Democratic senators to his nomination and their consequent willingness to attack him was established long before Dr. Blasey’s allegation was known. Evaluating the credibility of these competing accounts is a question about which people of good will can and do disagree. The editors of this review have no special insight into who is telling the truth. If Dr. Blasey’s allegations are true, the assault and Judge Kavanaugh’s denial of it mean that he should not be seated on the U.S. Supreme Court. But even if the credibility of the allegation has not been established beyond a reasonable doubt and even if further investigation is warranted to determine its validity or veracity, as the President’s nominee, we recognize that this nomination is no longer in the best interests of the country. While we recognize that previous endorsement of Judge Kavanaugh on the basis of his legal credentials and his reputation as a committed textualist, it is now clear that the nomination should be withdrawn.

Ms. HIRONO. In addition, Robert Carlson, president of the American Bar Association, the ABA, issued a letter urging the Judiciary Committee of the Senate to not vote on Judge Kavanaugh’s nomination until there is an FBI investigation into Dr. Ford’s account of sexual assault. The ABA explained that “deciding to proceed without conducting an additional investigation would not only have a lasting impact on the Senate’s reputation, but it will also negatively affect the great trust necessary for the American people to have in the Supreme Court.” I agree. Brett Kavanaugh does not have the credibility, candor, character, or, I would say, as we saw yesterday, the temperament to be on the Supreme Court. His presence on the Court under this kind of cloud will weaken the Court. I cannot support this nomination.

I would like to end the remarks I would have given at the markup but am giving on the floor now. I would like to say that my colleague Senator JEFF FLAKE has said that he would not be able to vote on the confirmation of Judge Kavanaugh without an FBI investigation into Dr. Blasey Ford’s allegations. I support that. I have no idea whether the Republican leadership is going to allow a timeout for that kind of investigation to occur—an investigation that I and other Democratic members of the Judiciary Committee have been calling for, for what seems like months. Of course, I would want an FBI investigation to be thorough. I do not want some kind of a peripheral investigation to give cover to Senators who are wavering. I would want an investigation by the FBI to be thorough, to be real, to provide us with the kind of information that we need to make a determination as to the credibility, candor, and character of Judge Kavanaugh. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, the Judiciary Committee had an extraordinary meeting this morning, and each of us spoke at some length about our reservations or support for the nomination of Brett Kavanaugh to be a U.S. Supreme Court Justice. At the end of that meeting, as we were about to vote, my colleague, Jeff Flake, our colleague, announced his decision that he would request and seek a 1-week extension of the vote so there could be an FBI investigation of some of the unanswered questions that still very seriously and urgently demand responses in fact and evidence.

That is a very promising and important step. It has to be a real investigation, not a sham or show. It has to be penetrating and impartial, which the trust of bipartisan support is going to do. I have a lot of confidence that the FBI will do its job and answer those very serious and urgent questions.

The answers are all the more pressing after the extraordinary hearing we held yesterday at the Judiciary Committee. The entire Nation watched as two people told their stories; two very, very different stories and also told in very, very different ways, but let’s be very clear. The roles of these individuals and their responsibilities were also very different. Judge Brett Kavanaugh came before us for a job interview. He has no right to be on the U.S. Supreme Court. It is a privilege of extraordinary magnitude and significance. The position is one of the most important, if not the most important, that any person who has served in public office has been called upon to serve, a lifetime appointment to the highest Court in the land.

Our responsibility in the Judiciary Committee is not to approve just anyone for that job. We should be seeking the best person for the job, someone of intellect and integrity and temperament who will be fair and impartial, objective, and considerate.
I concluded well before the hearing yesterday—it is no secret—that I would oppose Judge Brett Kavanaugh for the U.S. Supreme Court.

My opposition was based on his extreme ideological views and judicial philosophy. These views were amply demonstrated at the previous hearing we had with him. My concern is, he would be a fifth vote to cut back or even overturn Roe v. Wade and stop women from becoming pregnant or having children; stop the government from exercising its right to do so with the person they love; cutting back on consumer rights and workers’ rights and environmental objectives; and permitting an imperial Presidency—a President who believes the law is unconstitutional, and therefore it should not be enforced, meaning that laws protecting millions of Americans who suffer from pre-existing conditions like diabetes and heart disease, cancer, mental illness, and, yes, pregnancy would go unprotected, and other rights under the Affordable Care Act. An imperial Presidency giving the power of that kind of unilateral authority is an anathema.

What we saw yesterday went beyond views on substantive issues, and I will be very blunt. What we saw was a man filled with anger, even rage, and self-pity, someone of arrogance, highly intensively partisan, and someone, in my view, unqualifiedly unfit to sit on the U.S. Supreme Court. In fact, I fear his rancor and animus, his partisan bitterness, which came across so clearly and explicitly in his reference to a leftwing conspiracy; Democrats organized to fight him and dredge dirt to destroy his family, a conspiratorial view of the world that is not only factually totally false but also deeply dangerous and unprecedented in anything we have ever heard from any nominee for any judicial position as long as I have been here and I believe unprecedented also in the Senate’s consideration of Supreme Court nominees. He indicated a partisanship that was disrespectful and dangerous.

We saw also a woman who came before us as a sexual assault survivor who was temperamentally almost exactly the opposite. Instead of hostile, she was helpful. Instead of angry, she was calm. Instead of rancorous and arrogant, she was modest and humble. Like Judge Kavanaugh, her family has been harmed by death threats and other vile, vicious behavior that has no tolerance in a democratic society, and my heart goes out to both families. We should reject threats to both of those families, as we do to anyone else in our society, and I have sympathy for the children and the families on both sides and others who may have been affected in coming forth with truth that relates to this nomination.

The other woman Dr. Christine Blasey Ford was completely distinct and different. She was mesmerizing. Even now, her visage haunts me in her profound honesty. She was credible and powerful in recounting events that caused her untold terror and anguish; events she hid because of the trauma she experienced then and because of many of the fears that cause other survivors of sexual assault to hide their stories. It was the fear of blame and public shaming and character assassination and threats of retaliation and sometimes self-blame or stigma or embarrassment.

In her case, coming forward has made many of the fears of reality, tragically and unfortunately. She has endured the nightmare befell her and her family simply to serve the public with facts and evidence she believes we should know—we in the Senate, we in America—should take into account before we make a decision on Brett Kavanaugh as the nominee.

So there are profound questions raised by her powerful testimony that need to be answered in the FBI investigation. What is the administration concealing in refusing to disclose more than a million pages of documents that relate to Brett Kavanaugh’s service in the Bush White House as Staff Secretary? They bear on his credibility, maybe not on these specific allegations, but on his credibility.

Judge Kavanaugh claimed that photographs are not reliable; that the polygraph Dr. Blasey Ford took and passed was meaningless. Yet, on the DC Circuit as a judge, Brett Kavanaugh ruled otherwise. He wrote “law enforcement agencies use polygraphs to test the credibility of witnesses and criminal defendants.”

As a former U.S. attorney, I know how polygraphs are used to test credibility of witnesses and criminal defendants. They may sometimes be inadmissible. They may be inadmissible generally, but they have a use. Judge Kavanaugh claimed that all four women Dr. Ford identified as being present at the party have said that the sexual assault “didn’t happen,” but in fact, only one person has said the sexual assault didn’t happen. That one person is Brett Kavanaugh. The other three parties identified by Dr. Blasey Ford said they do not remember. There is a big difference between “do not remember” and “it didn’t happen.”

The other woman Dr. Blasey Ford named who was there has since publicly said that she believes Ford’s account. She believes Dr. Ford, and I do too. Judge Kavanaugh tried to give himself an alibi by making it sound like he never drank on weeknights. His own high school calendar, which he provided the committee as evidence, disputes that statement.

During the hearing, he admitted that one of the entries on his calendar from
a Thursday signified that he went to a friend's house to drink.

Judge Kavanaugh repeatedly said that he had never in his life had so much to drink that he couldn't remember everything that happened, but numerous people who spent time with him during his high school, college, and law school years confirmed that he frequently drank to excess and sometimes became belligerent.

Judge Kavanaugh claimed that he always treated women "with dignity and respect"—his words—and yet he and his football friends from high school named one of his constituents, Renate Dolphin, in their yearbook pages, saying they were her "alumnius," in effect, boasting of sexual conquests and objectifying her, demeaning her. That is hardly treating a woman with dignity and respect. Judge Kavanaugh said this reference meant nothing sexual, but Renate Dolphin disagrees. In a quote to the New York Times, she said:

The insinuation is horrible, hurtful, and simply untrue. I pray their daughters are never treated this way.

He said the allegations against him were "a calculated and orchestrated political hit fueled with apparent pent-up anger about President Trump and the 2016 election." He called it "revenge on behalf of the Clintons." He issued a warming—more like a threat—"that what goes around comes around." That threat to the Judiciary Committee of the U.S. Senate is a threat to America. It is profoundly and deeply dangerous to think that litigants threaten their courts with the threat that their political views will determine how he decides their cases. That is antithetical to the basic fundamental principles of this country. It contravenes the entire concept of an independent judiciary. President Trump has demonstrated his contempt for the rule of law and an independent judiciary, but a member of one of the highest courts in the country doing so is chilling. It is stunning. It is staggering.

My Republican colleagues, unfortunately, followed that example. They said we leaked her letters to the press at the last minute to derail Judge Kavanaugh's nomination. They called the allegation against Judge Kavanaugh a coordinated smear campaign. That contention is false. It implies that these courageous survivors of sexual assault are puppets or pawns orchestrated by politicians, that the only people who heard and saw Dr. Blasey Ford yesterday knows that is blatantly false. She came forward on her own initiative. She did it reluctantly, foreseeing the nightmare that would befal her and her family. She did it without encouragement from any Member of the U.S. Senate or any other political figure. That contention is an insult to her and all survivors of this horrific crime. Is Deborah Ramirez's story, too, a fabrication to take down Judge Kavanaugh?

When Senator Harris asked Judge Kavanaugh if he had listened to Dr. Ford's testimony, he said: "I did not." He should have. He should have listened to her testimony. He should have heard and heeded what Deborah Ramirez said about his sexual misconduct toward her and, likewise, Julie Swetnick, about the chilling acts that she alleged that he was involved in performing.

Judge Kavanaugh and my Republican colleagues say they don't dispute that Dr. Blasey Ford may have been sexually assaulted at some point but by someone other than Brett Kavanaugh. Maybe she was mixed up. Maybe she was confused. Those kinds of words used to describe her and other sexual assault victims demonstrate the disrespect and disregard that has shamed and silenced so many sexual assault survivors from coming forward to tell their truth, seek prosecution, and consult their parents or loved ones and seek healing. It is the reason that sexual assault is one of the most under-reported crimes in the country. One out of every three women is a survivor, but so very few come forward because of the public shaming, character assassination, and threats and rejections they fear and, in fact, they rightly foresee.

To my friends on the other side of the aisle, you cannot have it both ways. You either believe Dr. Blasey Ford or you reject her testimony. Either you accept her veracity or you don't. Dr. Blasey Ford was asked whether it was possible that she confused her attacker, whether there was mistaken identity, or whether there was maybe someone else other than Brett Kavanaugh. Firmly, unequivocally, repeatedly, she said no. Before us and the entire country, she said she was "100 percent" sure that Brett Kavanaugh was her attacker.

This detail is seared in her memory. There is no mistaken identity here. A person so brutally attacked at the age of 15 who admits to these details and also the details that she doesn't remember and insists on the details she does remember doesn't make something like that up out of whole cloth. She came forward at great personal sacrifice. I believe her. I think America believes her.

She testified that she was terrified—that her word, "terrified"—to come forward. She was very nearly silenced by her fear. She worried if she told her story that she would be shamed, insulted, or vilified by Judge Kavanaugh's defenders and that he would never be held accountable. That fear silences too many survivors. We must prove them wrong. We must hold him accountable. As I said at the very start, a lifetime appointment and promotion to the Supreme Court is not an entitlement. It is a privilege for the person who is best for that position.

Last Friday, President Trump said about Dr. Blasey Ford's story on Twitter:

I have no doubt that, if the attack on Dr. Ford was as bad as she says, charges would have been immediately filed by local Law Enforcement Authorities by either her or her loving parents. I ask that she bring those filings forward so we can learn the date, time, and place!

President Trump knows better. I hope he knows better. Psychologists have noted, and it is widely known, that there are a number of reasons why survivors opt for silence, such as fear of retaliation and repercussions in the workplace or at home. Fear of self-blame. They are told to dismiss it. They are told by their parents they will be blamed, not the perpetrators. They fear they will not be believed, and they want to forget. They want to put this trauma somewhere deep and dark where it will be a source of less pain.

So Dr. Ford did not share the details of her abuse until a therapy session in 2012. She told her husband early in their relationship, but even he did not know the details of this incident until the therapy session.

That is not uncommon for people who have experienced trauma. In the last few weeks, numerous survivors of sexual assault have stepped forward with their stories to explain why they had kept their own trauma. I take this opportunity to express my admiration for the survivors who are coming forward now with stories of terrible crimes, of impulses to stay silent, and of fears that they have conquered in coming forward.

Madam President, I ask unanimous consent that these stories be printed in the RECORD.

I will not read them all now, but I wish for the statements of Lindsey Jones of Connecticut; Tara, who asked that her last name not be used, also of Connecticut; and survivors from other parts of the country who have contacted me just over the past few days be printed in the RECORD. Where being so objection, the material was ordered to be printed in the RECORD, as follows:

LINDSEY JONES FROM CONNECTICUT

Pain, sadness, shame, self-doubt, loyalty, guilt, fear. These are some of the reasons I decided not to file a police report when I was assaulted at a house party in my teens.

The main reason, however, was that as a teenager I had spent my life in a culture that told me I was the least important character in the story of my life. My pain, my truth, my future were all less important than the futures and reputations of the people who assaulted me.

I believed that I must bear at least some of the responsibility for the assault because I had been drinking underage.

I had a brief visit to the victim services office of my college only confirmed that belief. I believed that the symptoms of depression and post-traumatic stress following the assault as well as my own failings. I want to be honest here.

You see, I could deal with what happened to me if I was at fault. If it was my fault, I
could change my behavior to make sure it never happened again.

If I stayed silent, I could pretend everything was fine and deal with my emotions in private, but the people around me wouldn't look me in the eye and see either a victim or a liar.

No one would have to choose sides, everyone would have been at a loss of what side to take, my side, or the side of my rapist.

If I stayed silent and accepted all the blame, I spared myself the additional trauma of watching friends and loved ones choose the sides of the person who assaulted me.

Most importantly, if I convinced myself that nothing illegal had taken place, that it was merely a misunderstanding, that it was nothing I could do, then others wouldn't care, and I wouldn't have to face my biggest fear—that no one would really care, that I really didn't matter.

I was convinced that I could find safety in my silence, but to paraphrase the poet and activist Andrè Lorde, my silence did not protect me.

It's been 15 years, and I'm still in pain. And the people who assaulted me have not faced a single consequence.

And meanwhile, especially over the last two years, I continued to find evidence that my teenage self was right—no one cares about the victims of sexual assault.

No one seems to care to the point that in 2018, a man credibly accused of sexual assault are leading this nation and their accusers are publicly doubted and verbally eviscerated by the media, the president, and members of the senate judiciary committee.

I am here today because I want all the unheard teenagers girls in this country, past, present, and future, including my two daughters, one of whom is here with me today, every time you speak the truth, you do your part to dismantle a toxic, victim-blaming culture, and we all need to stand together.

I was raped.

I froze. I panicked. I gave in and just let it happen.

What I was left with in the wee hours of the morning, was bruises and a tattered spirit that I'm still healing to this day.

I'm now 31.

I finally told my mom this past fall. I remember mom saying “I wish you would have told me we could have prosecuted those guys.”

I just hugged her and cried . . . I knew that my chances of justice were slim to none.

ANONYMOUS FROM NEW JERSEY

A decorative emerald green bird in a nest, embellished with gold glitter

An orange shag carpet and a plaid bedspread

An ugly brown wallpaper with golden swirls

A rough wood wall in a darkened hallway between two office buildings.

Look at those eyes—connections! I'm guessing that most wouldn't—even an experienced HDTV designer would have difficulty coordinating them or even using them as inspiration for a room.

But I can connect them without hesitation: they're all objects—things I remember—from the times I was violated, molested, or forced through attempted sexual assaults. They are objects from four specific points in time:

A night when I was 6

A night when I was 12

An afternoon when I was 16

And a year she was not my partner—Dr. Ford, we believe you. We all need to stick together and do what's right because 1 out of 4 girls and 1 out of 6 boys—our sons' family.

And I just ask the Senators to think about it was your mother or your sister or your daughter, what would you want for them?

And I usually ask some body who would ask for an FBI investigation—in my opinion.

I just—I really think we all need to stick together and demand what she deserves.

EMILY MALLOY FROM NORTH CAROLINA

I remember what I was wearing like it was yesterday.

Like a broken record on repeat.

I'll never forget that outfit and what happened to me in those clothes that unforgettable night.


It was senior year. I was with one of my high school friends and we had just gotten invited to a after game party.

I wish I would have listened to my gut that night, but I ignored the voice in my head like the plague.

I was pressured into going to this party by my friend and I was staying at her house that night. . . little did I know I'd never get to her house. There we were.

Beer and loud rap music. I was surrounded by people I knew.

You drunk. Yes I got drunk. What happened later that night ISN'T my fault and it took me 11 years so believe that.

Three guys lured me into a dark room. One of those guys I trusted. Three guys lured me into a dark room. One of those guys took my innocence without my consent that night on the cold floor.

I froze. I panicked. I gave in and just let it happen.

TARA FROM CONNECTICUT

Between the ages of 13 and 14, I was raped by a man whose children I used to babysit for.

He used the fact that I loved his children and was watching the children against me as he raped me while the children were around us.

I didn't tell—I thought that if I got out of the situation that it would be okay because it was my fault—especially after the first time.

I didn't tell, like he said, nobody would believe me.

They would think that I wanted it.

So I continued on and didn't tell till I got a phone call that he had possibly raped the 4-year-old he had been having phone calls with.

They would think that I wanted it.

I finally told my mom this past fall. I remember mom saying “I wish you would have told me we could have prosecuted those guys.”

I just hugged her and cried . . . I knew that my chances of justice were slim to none.

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A decorative emerald green bird in a nest, embellished with gold glitter

An orange shag carpet and a plaid bedspread

An ugly brown wallpaper with golden swirls

A rough wood wall in a darkened hallway between two office buildings.

Look at those eyes—connections! I'm guessing that most wouldn't—even an experienced HDTV designer would have difficulty coordinating them or even using them as inspiration for a room.

But I can connect them without hesitation: they're all objects—things I remember—from the times I was violated, molested, or forced through attempted sexual assaults. They are objects from four specific points in time:

A night when I was 6

A night when I was 12

An afternoon when I was 16

As a result of this experience, it was clear that I had fear, but she conquered it. That is the definition of courage—not to be without fear but to act courageously in...
PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF S. 2553

Mrs. ERNST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Con. Res. 49, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 49) providing for a correction in the enrollment of S. 2553.

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

Mrs. ERNST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 49) was agreed to.

(The concurrent resolution is printed in today's Record under "Submitted Resolutions").

Mrs. ERNST. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. WHITEHOUSE. Mr. President, I am here for my customary "Time to Wake Up" speech, but before I get into it, given the events of the day, I just want to express my satisfaction with the turn of events in the Judiciary Committee.

As the Acting President pro tempore may know, yesterday was a rather bitter day in the Judiciary Committee, with there being a lot of anger and tribal belligerence and a nominee who was full of partisanship and conspiracy theory and invective. It really was not a good day. Yet this is a funny place, and sometimes right after we have been at our worst, something breaks that turns things in the right direction.

Mr. President, I ask unanimous consent that my appendix be added at the end of my speech.

What they found is interesting. One piece—tellingly subtitled "Understanding and Coping with the 'Post-Truth' Era"—describes how "the World Economic Forum ranked the spread of misinformation online as one of the 10 most significant issues facing the world"—the top 10.

A very famous book about a post-truth world is that it empowers people to choose their own reality, where facts and objective evidence are trumped by existing beliefs and prejudices, concludes one article—not a good thing. This is not your father's misinformation. This is not "JFK and Marilyn Monroe's Love Child Found in Utah Salt Mine." This is not "Aliens Abducted My Cat." This is not fun and entertainment. This is also not people just being wrong. Indeed, "misinformation in the post-truth era can no longer be considered solely an isolated failure of individual cognition that can be corrected with appropriate communications tools," they write.

In plain English, this isn't just errors; there is something bigger going on. Scientists from Duke University agreed.

"Rather than a series of isolated falsehoods, we are confronted with a growing ecosystem of misinformation." This ecosystem of misinformation is put to use by determined factions.


They note: "Those who seek to promote systemic lies" are "backed by influential economic interests or powerful state actors, both domestic and foreign." Let me highlight those key phrases—"systemic lies . . . backed by influential economic interests." Like I said, it is not your grandfather's misinformation.

An author from Ohio State writes that this creates artificial polarization in our politics that is not explained by our tribal social media habits. His subtitle, too, is telling: "Disinformation Campaigns are the Problem, Not Audience Fragmentation." He notes these disinformation campaigns "are used by political strategists, private interests, and foreign powers to manipulate people for political gain."

"Strategically deployed falsehoods have played an important role in shaping Americans' attitudes toward a variety of high-profile political issues," reads another article.

In a nutshell, Americans are the subjects of propaganda warfare by powerful economic interests.

So how is all of this misinformation deployed?

"The insidious fallout of misinformation are particularly pronounced when the misinformation is packaged as a conspiracy theory," they tell us—insidious, indeed. By wrapping deliberate misinformation in conspiracy theory, the propagandist degrades the target's defenses against correction by
legitimate information. Conspiracy theories, the articles note, “tend to be particularly prevalent in times of economic and political crises.”

Pulling emotional strings is another technique. Emotionally weaponized fake news is reflected in “the prevalence of outre discourse on political blogs, talk radio, and cable news.”

These powerful interests also take advantage of “the institutionalization of ‘false equivalence’ in so-called mainstream media” by sophisticatedly leveraging media conventions to their private advantage.

Another tactical observation: To be effective, the misinformation campaign does not have to convince you. It can simply barrage, confuse, and stun you. One of these articles related the Bangor Daily News assessment of falsehoods coming from the Trump White House: “The idea isn’t to convince people of untrue things, it is to fatigue them, so that they will stay out of the political province entirely, regarding the truth as just too difficult to determine.”

This, of course, is a well-known political propaganda strategy. What the Bangor Daily News saw, the researchers note, is “mirrored by analysts of Russian propaganda and disinformation campaigns.”

McCright and Dunlap describe how weaponized fake news—what they call “the intentional promotion of misinformation into systemic propaganda by amplification of what they call the ‘powerful conservative echo chamber.’” It is systematic, it is deliberate, and it is supported by a purposeful private apparatus.

This brings us back to what the authors call the “utility of misinformation . . . to powerful political and economic interests.” What they conclude, basically, is that the weaponization of fake news is done for profit and with purpose. It has an apparatus of amplification. It needn’t convince but simply stun or confuse. Like an insidious virus, it can carry its own conspiracy theory and emotional payload countermeasures against the ordinary antibodys that ordinarily protect us from being misled.

The scientists urge that we must examine these systematic campaigns of false misinformation “through the lens of political drivers that have created an alternative epistemology that does not conform to conventional standards of evidentiary support.”

Let’s unpack that language for a minute. Let’s begin with the fact that it is “political drivers” that are behind the scheme. This is a tool in a larger battle for political supremacy.

To help win this battle, political actors have “created an alternative epistemology,” a separate way of looking at the world; obviously, a way of looking at the world that aligns with their economic interests.

That “alternative epistemology” is untethered from the truth. It “does not conform to conventional standards of evidence.” It stands on falsehood, on prejudice, and on emotion, not on fact.

What the authors call “post-truth politics” has motive and purpose. They write: It is “a rational strategy that is deployed in pursuit of political objectives.”

In these propaganda campaigns by powerful economic interests, some stuff right now happens a lot more on one political side. Scientists track an increase in “emotion-ridden, panic-stun or confuse. Like an insidious virus, it can carry its own conspiracy theory and emotional payload countermeasures against the ordinary antibodys that ordinarily protect us from being misled.”

The scientists urge that we must examine these systematic campaigns of false misinformation “through the lens of political drivers that have created an alternative epistemology that does not conform to conventional standards of evidentiary support.”

This is a fossil fuel upgrade of the 1960s’ “false-experts’ strategy that was pioneered by cigarette manufacturers in the 1950s.”

To protect a $700 billion annual subsidy, you can build a bigger denial scheme even than Big Tobacco, and they did. McCright and Dunlap call this the “climate change denial countermovement.”

They continue: “To cast doubt” is the key phrase in that last quote. The authors emphasize that “climate science denial does not present a coherent alternative explanation of climate change. On the contrary, the arguments offered by climate denial are intrinsically incoherent.”

Climate-change denial is therefore best understood not as an alternative knowledge claim but as a political operation aimed at generating uncertainty in the public’s mind in order to preserve the status quo.

How did that play out in Republican policymaking? “[W]hile climate change used to be a bipartisan issue in the 1980s, the Republican party has arguably been moved from a genuine concern to industry-funded denial.”

Let’s be clear. Climate denial is not a search for truth. As the evidence piled up that early climate change warnings were accurate, the climate denial campaign did not relent in the face of those facts. Indeed, the scientists relate, “the amount of misinformation on climate change has increased in proportion to the strength of scientific evidence that human greenhouse gas emissions are altering the Earth’s climate.”

It is a fossil fuel upgrade of the fraudulent Big Tobacco strategy. One example is the so-called Oregon Petition, a bogus petition urging the U.S. Government to reject the 1997 Kyoto Protocol on global warming. One article points out that “the Oregon Petition is an example of the so-called ‘fake-experts’ strategy that was pioneered by the tobacco industry in the 1950s and 1960s.”

Of course, since this scheme isn’t real science, it doesn’t use real scientific outlets. “[M]uch of the opposition to
mainstream climate science, like any other form of science denial, involves non-scientific outlets such as blogs.

Another article notes that this is done on “websites that obfuscate their sponsor by mimicking the trappings of non-profit and other more reputable sites.” Again, masquerade—even camouflage—is part of the problem. I think it goes without saying that in real science it is not necessary to mask the real proponent.

Another signal of the scheme is repetition of falsehood. “Dozens of studies document an illusory truth effect whereby repeated statements are judged truer than new ones.”

In real science, when someone realizes what they are saying is wrong, they stop saying it. In the weaponized disinformation scheme, you just keep saying it. You maybe even say it more to capitalize on this “illusory truth effect.”

This, of course, recalls the infamous Big Tobacco declaration: “Doubt is our product.” That is a quote from a tobacco memo.

The heart of the fossil fuel industry’s scheme is to undermine legitimate science with false doubts. To chip away at the consensus on climate change, they chip away at the foundations of truth itself.

One author sees this as “the willingness of political actors to promote doubts to the effect that the truth is ultimately knowable”—think of the president’s lawyer, Giuliani, saying “truth isn’t knowable”—think of the President’s doubt as to whether truth is ultimately knowable—think of the evidence is important”—think of climate denial trying to drown out the truth through repetition of false statements—third, “and whether the fourth estate has value”—think of the President attacking the legitimate media as “fake news” and the “enemy of the people.”

The scientific paper concludes: “Undermining public confidence in the institutions that produce and disseminate knowledge is a threat to which scientists must respond.”

Sadly, real science is poorly adapted to defending itself against weaponized disinformation in the public arena.

Let me conclude with what one article calls a case study in the spread of misinformation. Last year’s “Unite the Right” rally in Charlottesville, VA, which led to the murder of Heather Heyer, killed by a white supremacist speeding into a crowd, a witness recorded on film the car plowing into that crowd of people. The authors wrote: “Within hours, conspiracy theories began floating around the internet among people associated with the alt-right,” attempting to undermine and discredit the witness. Social media posts then appeared “suggesting [the driver] staged the attack, was trained by the CIA, and funded by either George Soros, Hillary Clinton, Barack Obama, or the Jewish mafia....”

Those conspiracy theories migrated into more mainstream media. Variations appeared on info wars and Shawn Hannity’s show on Fox.” Fox News, by the way, is a common venue for fake news.

Here is what the scientists chronicle as the “Fox News effect”:

“it has repeatedly been shown that people who were exposed to these false stories and whose public broadcasters become better informed the more attention they report paying to the news, whereas, the reverse is true for self-reported consumers of Fox. For self-reporting viewers of Fox News... increasing frequency of news consumption is often associated with an increased likelihood that they are misinformed about various issues.”

In a nutshell, the more you watch real news, the more you know; the more you watch Fox News, the less you know—great for the elite merchants of doubt.

The effects of misinformation become measurable by looking at provable falsehoods that people are made to believe.

“A 2011 poll showed that 51 percent of Republican primary voters thought that then-President Obama had been born abroad. [Twenty percent] of respondents in a representative U.S. sample have been found to endorse the proposition that climate change is a hoax perpetrated by corrupt scientists. The idea that the Democratic Party was running a child sex ring was at one point believed or accepted as being possibly true by nearly one-third of Americans and nearly one-half of Trump voters.

All provably false. All propagated until significant numbers of people believe it.

So how do we fight back? The researchers offer an array of approaches. “Russian propaganda can be ‘digitally contained’ by supporting media literacy and source criticism,” says one.

“Our recommendation,” wrote another, “is to begin by generating a list of the skills required to be a critical consumer of information.” In essence, we have to adapt new citizenship skills to protect ourselves from weaponized fake news.

Another recommendation is to teach people about the tactic of sewing doubt through disinformation. Where “typical cues for credibility have been hijacked,” understanding the tactics will help inoculate people against being taken in by the scheme.

The researchers reported:

Participants read about how the tobacco industry in the 1970s used “fake experts”—people with no scientific background, or doctors with beliefs unrepresentative of the rest of the scientific community— to create the illusion of an ongoing debate about smoking’s negative health consequences. Participants who read about the “fake experts’” type of argument were less affected when later reading a passage on climate change that quoted a scientist who rejected to ‘climate change’...as[all] hotly debated among scientists.”

Other authors argue that a comprehensive approach will be needed to debunk climate denial. They note that “climate denial typically masquerades as ‘press science’ skepticism and paints the actual science of climate change as being ‘corrupt’ or ‘post-modern.’ It is possible that those carefully crafted forms of misinformation will require continued human debunking as well as increased media literacy.”

Last, there is a role for the media. “At present,” authors point out, “many representatives of think tanks and corporate front groups appear in the media without revealing their affiliations and conflicts of interest. This practice must be tightened, and rigorous disclosure of all affiliations and interests must be made in media reporting.” Again, once you out the participants and show the scheme, people can figure it out for themselves.

Recommended media reforms include a “counter fake news editor” or “disinformation system for disinformation” or “a Disinformation Charter.”

Science itself is beginning to examine the growing threat of misinformation campaigns can have. Scientific investigations appropriate since science is so often the target of weaponized misinformation campaigns. More and more, real science must face up to the fact that a new predator roams its territory and adapts new defenses to fight this predator. The predators may not want to defeat all science. They probably still want to use their iPhones and drive cars and live in safe buildings and enjoy products and services that science gives us. But they do seek to defeat whatever science challenges the economic interests that fund them.

As I said at the start, the Journal of Applied Research in Memory and Cognition is not exactly a grocery-store checkout-line reader: Americans have read this volume. I am probably the only one in Congress. But its message is important, and that is why I came to the floor to share it today.

Campaigns of lies are dangerous things, like an evil virus in the body politic, and if we want to be a healthy country, we will have to defeat the weaponized disinformation virus. Curbing our body politic of the ongoing flood of climate denial would be a very good start.

I note the deputy majority leader is here on the floor. I apologize for continuing my speech while he is here. I appreciate his productive role in the happy events that I described at the beginning of these remarks.

Before the Senator from Texas takes the floor, I ask unanimous consent that the appendix I referenced be printed in the RECORD.

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

Sources: Journal of Applied Research in Memory and Cognition, Volume 6, Issue 4 (December 2017)
M. McCright (Michigan State)  
Riley E. Dunlap (Oklahoma State)  

Beyond Misinformation: Understanding and Coping with the ‘Post-Truth’ Era By Stephen Lowandowski (CMU, University of Bristol), Ulrich Ecker (University of Western Australia), and John Cook (George Mason University)

Misinformation and Worldviews in the Post-Truth Information Age: Commentary on Lewandowsky, Ecker, and Cook By David N. Rapp & Amalia M. Donovan (Northern West University)

The “Echo Chamber” Distraction: Disinformation Campaigns are the Problem. Not Audience Fragmentation By R. Kelly Garrett (Ohio State University)

Leveraging Institutions, Educators, and Netizens to Correct Misinformation: A Commentary on Lewandowsky, Ecker, and Cook By Emily K. Vraga (George Mason University) & Leticia Bode (Georgetown University)

Mr. WHITEHOUSE. Mr. President, I yield the floor.

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, as the world knows by now, yesterday we had another hearing on the nomination of Judge Brett Kavanaugh to be a member of the U.S. Supreme Court. It was necessary to do so because an allegation had been made by Dr. Christine Ford to the ranking member, our friend Senator Feinstein from California, dated July 30, but because Dr. Ford requested confidentiality and she wanted to remain anonymous, none of this was brought to anybody’s attention until some time after the judge’s original confirmation hearing occurred. The judge visited with 60-plus Members of the Senate, including the ranking member, and it was never mentioned to him. No questions were asked about it.

Contrary to her wishes, Dr. Ford was thrust into the national spotlight. She said she didn’t agree to have her letter released to the press. She did not consent to having her identity revealed. She did not want to be part of what has turned into a three-ring circus. But, once there, when she asked to tell her story, we consented to doing that, and yesterday we heard from Dr. Ford as well as Judge Kavanaugh.

Judge Kavanaugh asked to be heard to clear his good name and speak directly to the American people, and he did so forcefully yesterday.

Now we have heard Dr. Ford’s story, and we have heard Judge Kavanaugh’s rebuttal. What we have learned is that there is no evidence to corroborate Dr. Ford’s allegation. All of the people she said were there on the occasion in question said they have no memory of it or it didn’t happen—no corroboration.

As we all watched Judge Kavanaugh defend his personal integrity in front of the nation, we saw his righteous indignation. He choked back his tears and aimed his fury not at Dr. Ford—none of us did that—but, rather, at this unfair confirmation process, which, frankly, is an embarrassment to me and should be an embarrassment to the U.S. Senate. The reason why, Dr. Ford has requested confidentiality and leak that information to the press and then to thrust her into the national spotlight under these circumstances, I think, is an abuse of power. But having made that request, once there, when she asked to tell her story, we consented to doing that, and I am grateful to Rachel Mitchell and her story.

I told anybody who would listen that I wanted to hear Dr. Ford the same way I would expect that my mother or my sister or my daughters would be treated under similar circumstances. Conversely, I thought that we should treat Judge Kavanaugh fairly, too, just as we would our father, our brother, or our son. In other words, this is more than just about Dr. Ford; this is about Dr. Ford and Judge Kavanaugh.

We heard the judge respond with quite a bit of righteous indignation, as I said, talking about his family having been exposed to the vilest sorts of threats, including his two young daughters. I know it was a hard pill for many of our Democratic colleagues to swallow to hear the truth of what this terrible process has resulted in, both for Judge Kavanaugh and Dr. Ford, but too much was on the line for Judge Kavanaugh to withhold his defense of his good name. After all, his reputation is on the line, his family is on the line, and his family, including his wife and his two daughters, are all caught up in what must be a miserable experience.

Still, I am glad we held the hearing, and I am grateful to Rachel Mitchell for participating and asking her probing questions.

Some have questioned: Why would a Senator yield to a professional in the sexual abuse field to ask questions of Dr. Ford? Well, it was simply because I wanted to give him the opportunity to respond to Dr. Ford with respect and gently, recognizing that somehow, somewhere, she has been exposed to some terrible trauma. But it was important for Ms. Mitchell to ask questions and to get answers to those questions so we could do our job.

I appreciate Chairman Grassley for doing his best to keep order in running the committee efficiently, as much as anybody said, first, hearing after Senators would speak over each other and would endlessly make motions that were out of order—when one Senator said, “I am breaking the confidentiality rules.” I said, “This seems like the kind of demeanor and civility that you would expect from the U.S. Senate. I think Chairman Grassley has done the best anybody could do under difficult circumstances.”

As I said, this hearing was not easy for either Dr. Ford or for Judge Kavanaugh. It has been painful for everybody involved.

Thankfully, we are much closer to a resolution on this nomination. Today, there was a markup in the Judiciary Committee, and I am glad we were able to pass that nomination out of the committee to the Senate floor. Some are saying we are moving too fast. To them, I would say that it is pretty clear what the objective of the opponents of the nomination is. Their objective is delay, delay, delay. Some have said that their goal is to delay this confirmation past the midterm election, hope that the election turns out well for them, and essentially defeat the nomination and keep the Supreme Court vacancy open until President Trump leaves office.

First, there was the paper chase; they needed more documents or, perhaps, they said there were too many. But the question I always had is this: If you have already announced your opposition to the nominee, why do you need more information? Unless, of course, you are open to changing your mind—but it is clear that is not the game that they are engaging in here.

Now there are those who demand that the background investigation be opened into two new allegations that appeared following Dr. Ford’s. Today, the majority leader and some of our colleagues have announced an agreement to extend the background investigation for up to another week for these witnesses to be interviewed by the FBI. But I would note that the most recent allegations are so absurd, so fantastic that not even the New York Times would run a story about Judge Kavanaugh’s time in college as reported by Ms. Ramirez. They worked hard to try to corroborate her story by interviewing dozens of potential witnesses. None of them would confirm or corroborate Ms. Ramirez’s story, but they did find, as Ms. Ramirez was talking to one of those individuals who was deputized, where deputized implied that she may have misidentified Judge Kavanaugh. In other words, she admitted that she may have the wrong guy—not credible, not serious, but dangerous.

It is dangerous in the sense that some of our colleagues take the position that all you need to do is listen to an accusation, and that is enough to make up your mind. You don’t need to listen to the other side. As Judge Kavanaugh said, it didn’t happen; it didn’t happen; there wasn’t there. If you listen to just one side of the argument, I guess it does make making up your mind a lot easier because you don’t actually have to think about it and you don’t have to think about what a fair process is in order to decide whose arguments you believe or whether somebody has met the burden of showing evidence that their claim is actually true.

This has become so ridiculous that the newest claims made by a young woman named Julie Swetnick, who is represented by Stormy Daniels’ lawyer, are riddled with holes. Why would a
woman continue to go to parties with high schoolers when she was in college, and why in the world would she go to not 1, not 2, but 10 of these alleged drug- and alcohol-infused parties where gang rape occurred? It is just outrageous.

We have encouraged all of these individuals, no matter how incredible the allegation may be, to work with the Judiciary Committee and submit to an interview with the bipartisan representation on the Judiciary Committee. This is standard operating procedure for the Judiciary Committee. The basic background investigation is done by the FBI. But they are not investigating a crime; it is a background investigation in which they take notes on their conversations with witnesses. They don’t tell you which witness to believe or what conclusions to draw from that. They send that to the Judiciary Committee, and the Judiciary Committee follows up with additional questions, if necessary. Lying to the FBI—just like lying to the committee—is actually a crime punishable by a felony, so both carry serious consequences and a serious warning to those who might try to lie their way into a background check.

What is so ridiculous about where we find ourselves is that in addition to Dr. Ford’s confidential letter to the ranking member being released against her wishes and without her consent, contributors afraid of a circus atmosphere as we continue to try to investigate some of these claims, the Democratic professional staff have been refusing to cooperate or participate, even as they continue to make more and more demands. It is clear that their appetite for delay is insatiable, and delay is contributing to this circus atmosphere as well.

For those who continue to say that they want the FBI involved, I will tell them that the FBI has been and is involved in conducting background checks, and none of these matters have come up previously. What we were doing yesterday with the hearing was part of our job, which is to continue the investigation. I think very narrowly defined what an investigation entails. It is not just a background check by the FBI. It is the interviews by the professional staff on the Judiciary Committee, and those are the hearings like the one we had yesterday, all day, hearing from Judge Kavanaugh and Dr. Ford. That is our job; that is our constitutional role, to provide advice and consent.

Plus, if our colleagues across the aisle were really interested in a background investigation of Dr. Ford’s complaints, which Dr. Ford made about Dr. Ford. That is our job; that is our constitutional role, to provide advice and consent.

If our colleagues across the aisle were really interested in a background investigation of Dr. Ford’s complaints, which Dr. Ford made about Judge Kavanaugh or Dr. Ford, they could have requested that be done and the results reported to us in a closed setting. What happened to Dr. Ford is inexcusable. To have a Senator sit on this allegation and refuse to turn it in to the committee so it could be investigated in a confidential way that would have protected her anonymity and would have allowed the committee to question both sides of the argument—that didn’t happen, by design, perhaps because the goal really wasn’t about giving Judge Kavanaugh or Dr. Ford a fair hearing. It was about delaying this confirmation vote.

When Judge Kavanaugh was interviewed about a week or so ago and again yesterday, he talked about a fair process—in other words, hearing from both sides of an argument. But under our constitutional system, if you are accused of a crime—and, believe me, Judge Kavanaugh has been accused of multiple crimes—you are entitled to the presumption of innocence. In other words, there is a burden to come forward with evidence to justify and support your claim, and if you don’t do that, your accusation is not enough to meet that burden.

Usually what we have are corroborating witnesses—other people present at the time who can corroborate what occurred. But all of the witnesses who have been identified by Dr. Ford cannot corroborate or confirm her allegation. They say that they have no memory of that or it simply didn’t happen.

Even the Bible talks about the importance of corroborating witnesses. I didn’t find this, but I vaguely remembered it, and someone on my staff pointed out Deuteronomy 19:15:

One witness is not enough to convict anyone accused of any crime or offense they may have committed. A matter must be established by the testimony of two or three witnesses.

So this is a rule of ancient origin dating back to the Old Testament. That is not very new. When Dr. Ford comes with an accusation 35 or 36 years after the fact, and no one else can confirm her story, it is not enough to carry the day.

The other thing we need to be wary of is false choices. This is not a matter of he said, she said. Someone said this is a matter of he said, she said, they said: Dr. Ford said one thing; Judge Kavanaugh said another; the so-called corroborating witnesses said another. But what they said did not corroborate Dr. Ford’s story. Just the contrary, they confirmed Judge Kavanaugh’s denial of any participation in anything remotely like that which Dr. Ford alleges.

So after 36 years, as Ms. Mitchell was able to develop, we know, for perhaps obvious reasons, that Dr. Ford’s account has some inconsistencies and some gaps regarding the timing, location, and details regarding these events. I think we need to listen to her. We need to take her story into account. As I said, I want to treat her the same way I would want my mother, sister, or daughters treated under similar circumstances. But we can’t ignore the inconsistencies and the gap in her story and the fact that she has tried to tell it 36 years after the fact.

We also can’t ignore the full-throated defense and the heartfelt denial of Judge Kavanaugh or the testimony that none of this is in the character of Judge Kavanaugh. We have heard that from people dating all the way back to 1982. Indeed, Ms. Mitchell—a former prosecutor, sex crimes in Arizona—told us last night that with her more than two decades of experience and the kind of case brought forward by Ms. Ford, she would not file those charges against a defendant because there simply is not enough evidence. In fact, the only witnesses identified by Dr. Ford denied the event actually occurred. As a matter of fact, she said that she couldn’t even get a search warrant or arrest warrant in a case like this. If you can’t identify the time or the place, you are not even going to be able to get a search warrant. You certainly can’t show probable cause, which is required by law.

There is where the allegations we discussed during yesterday’s hearing remain uncorroborated and unproven, if it never came up in the context of six FBI background checks, if it has been explicitly denied by the nominee. If the named eyewitnesses have no recollection of it or say that it didn’t happen, if it conflicts with the account of some 65 women who knew the nominee to be honorably in high school and college, any more or less, they have known and interacted with Judge Kavanaugh since—the timing seems unusual, perhaps even politically motivated. And if our colleagues across the aisle chose not to act on this information in a case like this. If you can’t identify the time or the place, you are not even to get a search warrant. You certainly can’t show probable cause, which is required by law.

This is not just about Dr. Ford; it is about the subsequent allegations by Ms. Ramirez and additional allegations by Ms. Swetnick, each more salacious, each more incredible, and each more out of character with what we know about Brett Kavanaugh. And it is going to continue. The longer this nomination is unresolved, there are going to be more and more people coming out of the woodwork to make accusations that are uncorroborated, unproved, and unprovable. You can imagine what this does to Judge Kavanaugh and his family as he is left hanging like a pinata, where people just come by and take another whack at him and his family.

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need in order to shoot down any figure at any time would be innuendo—innuendo, speculation, suspicion, unproven allegations, nothing more. We are not going to let that happen. We are not going to establish that precedent. It would be bad for the Senate. It would be bad for the United States of America.

Please don’t misunderstand me. I am glad Dr. Ford had a chance to have her say. We owed her that much. I know it took some courage, and it is a reminder all Americans that victims can and should be heard. As I said, I myself have two daughters. We all have a mother. Some are fortunate to have sisters or a spouse. This can be a very personal matter to every one of us. Yet we all know that all of us have fathers, and many of us have brothers. Some have husbands and sons. In other words, my point is, if this kind of uncorroborated allegation would seem so manipulated in exploiting vulnerable individuals, we would not accept accusations like this and we tolerate that, I think it will forever poison the confirmation process and discourage good people from coming forward.

We must always be fair to both the victims and those who stand accused. It has to be a two-way street. I have supported Judge Kavanaugh’s nomination because I have known him since the year 2000. In my experience, he has always been an upstanding and certainly he is an incredibly well-qualified individual.

We have heard everybody—from his fellow lawyers to his law clerks, to women he has worked with, to former Presidents of the United States—say that, we know he has an incredible record on the DC Circuit Court of Appeals, where many of his decisions have been affirmed by the U.S. Supreme Court. I know he will judge fairly and carefully. I believe he belongs on the Nation’s highest bench. In a few more days, after a few more delays, we will finally vote to put him there and say enough with the games. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

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

DARK MONEY RULE

Mr. WYDEN. Mr. President, I am submitting two letters into the CONGRESSIONAL RECORD in order to clarify the application of the Congressional Review Act, CRA, to the recent rule Rev. Proc. 2018-38, issued by the Treasury Department and the IRS, to dramatically weaken the disclosure rules for large contributions to certain tax-exempt organizations, including many that engage in political activity, what I and others call the dark money rule. In doing so, I also want to take the opportunity to comment on the rule itself and on the inappropriate and irresponsible approach that the administration is taking in the application of the CRA to the dark money rule.

By way of background, in 1971, as part of a general effort to improve the ability of the IRS to assure that tax-exempt organizations are complying with the tax and election laws, the Treasury Department promulgated a legislative regulation requiring certain tax-exempt organizations to disclose to the IRS, as part of their annual filing, the identity of those who contribute $5,000 or more to the organization. This information is not made available to the public, except in certain cases, but it is can be used by the IRS, State tax administrators, and other Federal agencies.

In recent years, this disclosure requirement has become controversial. Some, particularly conservative groups, have called for the rule to be repealed while others demand that information out of the hands of State tax administrators and law enforcement. Others have urged that the disclosure rules be strengthened. I am one of them. Following the 2010 Citizens United decision, more and more dark money has flowed into secretive tax-exempt organizations and into election campaigns in the form of such things as anonymous “issue ads.” I have urged that the contributor information be made public and, along with my colleagues, I recently urged further, that the IRS improve its application of the rules designed to prevent tax-exempt organizations from engaging in excessive political campaign activity under false pretenses of “social welfare.” For example, I have been particularly concerned about reports that a group that is tax exempt under Tax Code section 501(c)(4) that is associated with the National Rifle Association, which has engaged in extensive political activity, has received large contributions from foreign sources.

In the midst of all of this controversy, on July 16, without any public notice and comment or any consultation with me as ranking Democratic member of the Finance Committee, the Treasury Department and the IRS issued Rev. Proc. 2018-38, which invokes a narrow provision that allows the Treasury Secretary to waive parts of the current regulations in appropriate situations, to effectively repeal the entire 1971 regulation requiring the disclosure of large contributions. Perhaps coincidentally and certainly ironically, this was done late in the evening on the very day in which the Justice Department arrested an alleged Russian agent, Maria Butina, for attempting to influence American political discourse through a “gun rights organization,” later revealed to be the National Rifle Association, a 501(c)(4) dark money political organization.

This was an outrage. It was terrible policy and a terrible process. As I said at the time, the political brazenness of this action shocks the conscience. At a time when the U.S. intelligence community is warning that foreign actors are actively working to interfere in American elections, the Trump administration has decided to tie the hands of the only Federal agency with visibility into financial flows of foreign funds into dark money political organizations.

When the administration proposed the dark money rule, it submitted the rule to Congress for review under the CRA, which allows Congress to disapprove rules after they have been issued. The administration’s submission to Congress specifically states it was a “Submission of Federal Rules under the Congressional Review Act.” Senator Tester and I were determined to invoke this process in order to overturn the dark money rule.

There was, however, a procedural problem. The CRA includes a “clock,” limiting the period for challenging a new rule, and, under the terms of the CRA, that clock begins on the later of the day the rule is submitted to Congress, and the date it is published in the Federal Register, “if so published.” In this case, apparently for the first time, we were dealing with a rule that had been submitted to Congress for review under the CRA but not published in the Federal Register because this is the sort of material that the IRS publishes in the Internal Revenue Bulletin IRB, rather than in the Federal Register. This created a technical question regarding how to apply the clock to the IRS rule. To be clear, the question was not whether the CRA applied to the dark money rule, but rather, when the clock for congressional review began.

After consulting with the Parliamentarian, who advised that the CRA process would be clarified if the IRS would confirm, in writing, that the rule would not be published in the Federal Register, I sent Acting Commissioner David Kautter a brief letter asking him to do so. This seemed to me to be a very straightforward request. The IRS’s own internal procedure manual makes clear that matters that are issued as “revenue procedures” are published in the IRB rather than the Federal Register. Further, an IRS official had informally confirmed by email that would be the case here. On top of that, the dark money rule was in fact published in the IRB.

I ask unanimous consent that my August 21, 2018, letter be printed in the RECORD.

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

UNITED STATES SENATE, COMMITTEE ON FINANCE, Washington, DC, August 21, 2018.
Hon. DAVID KAUTTER, Acting Commissioner and Assistant Secretary of the Treasury for Tax Policy, Internal Revenue Service, Washington, DC.

DEAR ACTING COMMISSIONER KAUTTER: As you know, on July 26, the Treasury Department and IRS submitted to the Senate,
under the Congressional Review Act (CRA), Rev. Proc. 2018–38, which modifies the information to be reported to the IRS by certain organizations exempt from tax under section 501(a) of the Internal Revenue Code.

Under the CRA, the period for potential Congressional review begins on the later of the date of submission to Congress or publication in the Federal Register, ‘‘if so published.’’ My understanding is that revenue procedures are not published in the Federal Register but instead are published in the Internal Revenue Code and other publications.

In light of this, it would facilitate the Congressional review process if the IRS would confirm in writing that the Revenue Procedure 2018–38 was subject to the CRA. Said another way, it would require the Senate to look beyond the Treasury Department’s web page, to the official statement of a procedure by the Commissioner of Internal Revenue, to confirm that it is indeed subject to the CRA. Consequently, our submission of a revenue procedure using the standard CRA form prescribed by OMB does not necessarily indicate that it is subject to the CRA.

We do not believe Revenue Procedure 2018–38 is exempt from the CRA. See 5 U.S.C. Section 804(3)(C). In this revenue procedure, we exercised our discretion under existing regulations to limit our review of certain donor information that is not necessary for efficient tax administration. The revenue procedure did not alter the substantive standards or criteria that apply to tax exempt organizations, nor did it alter the requirement that donor information be maintained for purposes of the IRS’s ability to perform its tax administration function.

This is unprecedented because all previous requests to GAO related to matters that had not been submitted under the CRA. It is inconsistent with the practice of the Congress and to the Government Accountability Office to request advice from GAO on matters that have not already been submitted under the CRA. This is reflected in the process established in the Internal Revenue Manual (IRM). One section of the IRM relates to the CRA. Said another way, it would require the Senate to look beyond all 4,271 rules submitted by agencies to the Senate in this Congress under the CRA, to confirm that it is indeed subject to the CRA.

Second, Acting Commissioner Kautter takes the position that the administration’s submission of the rule under the CRA is not dispositive. It is, instead, just a starting point, to, as he writes, ‘‘allow[ ] Congress to consider whether a rule or procedure is subject to the CRA by requesting advice from GAO.’’ This is unprecedented because all previous requests to GAO related to matters that had not been submitted under the CRA. The administration does not submit a matter under the CRA, to confirm that it is indeed subject to the CRA. Said another way, it would require the Senate to look behind all 4,271 rules submitted by agencies to the Senate in this Congress under the CRA, and the CRA, in fact, applied. We cannot have ‘‘do-overs’’ here.

Mr. WYDEN. Mr. President, acting Commissioner Kautter’s position is inconsistent with our administration practice. In submitting the dark money rule to the Senate, the administration was not simply trying to be courteous and transparent, making sure the Senate was aware of the latest developments at the IRS. It was, instead, complying with the CRA, based on a determination that the rule was subject to the CRA.

This is reflected in the process established in the Internal Revenue Manual. One section of the IRM relates to the CRA. Said another way, it would require the Senate to look beyond all 4,271 rules submitted by agencies to the Senate in this Congress under the CRA, and the CRA, in fact, applied. We cannot have ‘‘do-overs’’ here.

Second, Acting Commissioner Kautter’s response is deeply troubling, for several reasons. First, why did it take so long? Every bureaucracy has time frames, but almost 5 weeks, on a time-sensitive matter, the answer to which should be clear in 5 minutes? As I said on the Senate floor last week: ‘‘It looks to me like the administration has a policy on their hands that they know is corrupt and undemocratic. And so they’re playing hide the ball. Because the more the public hears about this dark money rule, the less they like it.’’

Further, the argument Acting Commissioner Kautter makes in the letter is utter nonsense. In the first place, he mischaracterizes the CRA, in a way that would render the entire law unworkable. For over 20 years, here is how the CRA has worked: If the administration submits something to Congress under the CRA, that is that; it is subject to congressional review under the terms of the CRA. In the Senate, this means the clock starts the day the CRA is submitted for congressional review before it can become effective. Whether a revenue ruling, revenue procedure, notice, or announcement is considered a...
rule subject to reporting is determined on a case-by-case basis. Ministerial revenue rulings and revenue procedures; notices and announcements relating to error corrections, personnel matters, or proposed rules; and press releases will not be considered rules under the CRA.

Thus, the IRS’s own process requires the agency to determine, on a case-by-case basis, whether a document issued by the IRS constitutes a rule for purposes of the CRA. The IRS in fact exercises judgment about whether to submit a revenue procedure as a rule under the CRA: As of September 10, the IRS had issued 45 revenue procedures in 2018, only 27 of which were submitted to the Senate. Specifically, in this case, on July 26, over the signature of the Chief of the IRS Publications and Regulations Branch, the IRS and the Treasury Department submitted, to Vice President Pence, as President of the Senate, a copy of Rev. Proc. 2018-38, Submission of Federal Rules under the Congressional Review Act. The submission was docketed in the Senate as EC–6097, and it was referred to the Finance Committee.

Finally, even if the administration had not issued the dark money rule under the CRA, there is no question the rule is subject to the CRA. The CRA applies to rules as defined under the Administrative Procedure Act, which states, in relevant part that a rule is ‘‘the whole or part of an agency statement of general . . . applicability and future effect designed to implement, interpret, or prescribe law or policy.’’ With three exceptions: rules of particular applicability; rules relating to agency management or personnel; and rules of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

The dark money rule is clearly a statement of general applicability and future effect. The only real question, then, is whether it is subject to one of the exceptions, particularly the exception for ‘‘rules of agency organization, procedure, or practice that [do] not substantially affect the rights or obligations of non-agency parties.’’

Here, it is clear that the rule has a substantial effect on nonagency parties. Under the provisions of IRC section 6103, State tax administrators may obtain, for a fee, an exempt organization information for State tax administration purposes. As a result of Rev. Proc. 2018–38, State tax administrators will no longer have the right to obtain donor information from the IRS, undermining States’ ability to enforce tax-exempt rules on organizations operating within their borders. Further, as the Treasury Department clearly stated in a July 16 press release, Rev. Proc. 2018–38 will reduce the burden of disclosure and filing obligations of tax-exempt organizations because they will no longer be required to disclose the identities of large donors. This is a big deal. It will significantly inhibit IRS enforcement efforts, and it will make it easier for dark money to continue to flood in. Indeed, that is why so many groups have been urging that the disclosure requirement be repealed.

As a final note, the IRS may argue that the proposed rule is insignificant because the IRS doesn’t systematically cross-check this data against other sources of tax information. This is a large part of the problem of IRS failing to enforce existing laws relating to political activity of tax-exempt organizations. To my mind, the IRS should be using this information in order to maintain the integrity of our tax-exempt rules and election laws. If, for example, an organization named Russian Oligarchs, LLC made large contributions to a tax-exempt organization, it seems to me that this is something the IRS should want to know. At a time when foreign actors are actively attempting to interfere in American elections, law enforcement, the IRS should focus on the donors that need to have visibility into the financial flows of political nonprofits. The argument that we should no longer collect this information because the IRS is failing to use the information to enforce the law gets things precisely backward.

I urge my colleagues to support Senator Tester and me as we work to overturn this outrageous dark money rule.

MALNUTRITION AWARENESS WEEK

Mrs. MURRAY. Mr. President, I rise today in recognition of this week as Malnutrition Awareness Week. Malnutrition Awareness Week is a multi-organizational, multipronged campaign that aims to educate healthcare professionals on how to identify and treat malnutrition, encourage patients to discuss their nutrition status with healthcare providers, and increase awareness of nutrition’s role in patient recovery.

While we know malnutrition can severely impact patients’ health outcomes, we do not currently know the full extent of malnutrition plaguing our senior population. This is because national health surveys and indicators do not include screening measures for malnutrition. National surveys and indicators are crucial not only for identifying key issues, such as malnutrition, but also for shaping public health programs and guiding healthcare professionals. By fully understanding the health problem, we can refine these tools to better address health issues affecting older adults.

Similarly, older adults and their families need guidance on how to meet seniors’ unique nutrition needs. National dietary guidelines, developed every 5 years by the Departments of Health and Human Services and of Agriculture, provide valuable information that is available to the public in regard to a healthy diet. These guidelines are examples of Federal resources that could be tailored to reflect the nutritional needs of specific populations, such as older adults.

Since malnutrition can lead to greater risk of chronic disease, frailty, disability, and increases in health care costs, it is important to properly identify and treat these entrenched nutrition challenges across care settings. To strive toward this goal, we must consider options within the healthcare system and our Federal programs to improve care and nutritional support for older adults.

This week is an important opportunity for health professional to remember the nutritional challenges facing people of all ages, and I hope my colleagues will join me in working to understand and address these challenges.

NATIONAL RICE MONTH

Mr. KENNEDY. Mr. President, I want to take a moment to honor the more than 125,000 hard-working men and women who work in America’s rice industry. September is National Rice Month, and it is also the start of our domestic rice harvest. This year, roughly 23 billion pounds of rice will be grown on 3 million acres of farmland. 85 percent of the rice eaten in America comes from just 6 States: Arkansas, California, Mississippi, Missouri, Texas, and my home State of Louisiana.

Rice isn’t just delicious in jambalaya or seafood gumbo; it is an indispensible part of Louisiana’s economy. The 4,500 members of the Louisiana rice industry generate more than $700 million in economic benefits for the State. These small businesses not only put food on the table of America’s families, but they also employ tens of thousands of workers. Altogether, America’s rice crop has a $34 billion impact on our national economy.

Rice farmers are also careful stewards of our Nation’s precious natural resources. Over the past 20 years, rice farmers have been able to increase their yields by as much as 50 percent. They have achieved this while using less land, less water, and less energy. American rice shines as a bright example of sustainable agriculture and the benefits of effective agricultural research.

America was born on a farm. The importance of farming to the U.S. economy cannot be overstated; agriculture provides jobs for nearly 1 in 7 Americans. While rice is a valuable export, I am pleased to say that nearly all of our domestic rice crop is consumed right here. For these and many other reasons, I am proud to celebrate National Rice Month and the world’s most popular grain. I also want to extend my heartfelt support and gratitude to all American rice farmers, particularly those in the great State of Louisiana. Keep up the good work.
RECOGNIZING THE ANCIENT AND HONORABLE ARTILLERY COMPANY OF MASSACHUSETTS

Mr. MARKEY. Mr. President, today I would like to honor the Ancient and Honorable Artillery Company of Massachusetts—the oldest chartered military organization in the Western Hemisphere—on its 381st Fall Field Day Tour of Duty. Its charter was signed in 1638 by John Winthrop, then-Governor of the Massachusetts Bay Colony. The Ancient and Honorables continue to serve the Commonwealth as a vital part of its militia, subject to the direction of the adjutant general of the Massachusetts National Guard.

Although the Ancient and Honorables have long served as the honor guard for the Governor of the Commonwealth, they continue to play an integral role in the State’s civic rituals. Among their responsibilities, they participate in the inaugurations of State constitutional officers, the annual State of the Commonwealth address, and the yearly celebration of the Constitution. They stand ready to assist in times of peril old Boston, but most importantly, they have paid the ultimate sacrifice in defense of freedom.

May the Ancient and Honorable Artillery Company of Massachusetts long continue its role in fostering, supporting, and preserving the civic life of the city of Boston, the Commonwealth of Massachusetts, and the United States of America. The Ancients serve as world ambassadors of the United States, where, on their Fall Field Day Tour of Duty, they pay their respects to fallen soldiers of all nations who have paid the ultimate sacrifice in defense of freedom.

Today I would like to recognize the Ancient and Honorable Artillery Company of Massachusetts for their civic responsibilities, patriotic duties, and community service. May they continue their proud traditions for many years to come.

MESSAGES FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 791. An act to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 1688. An act to rename a waterfront in the State of New York as the “Joseph Sanford Jr. Channel”.

S. 2554. An act to ensure that health insurance issuers and group health plans do not prohibit pharmacists from providing certain information to enrollees.

S. 2559. An act to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 3479. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 4854. An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 4:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3508. An act to reauthorize and amend the United States Code, to implement the Marrakesh Treaty, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1095. An act to require the Federal Railroad Administration to provide appropriate congressional notice of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation.

H.R. 6756. An act to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; to the Committee on Finance.

H.R. 6757. An act to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; to the Committee on Finance.

H.R. 6758. An act to amend the Hizballah International Terrorism Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1558. An act to amend the Hizballah International Terrorism Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 302) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, with an amendment, in which it requests the concurrence of the Senate.

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ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, September 28, 2018, he has signed the following enrolled bills, previously signed by the Speaker of the House:

H.R. 46. An act to authorize the Secretary of the Interior to conduct a special resource study of Port Ontario in the State of New York.

H.R. 2259. An act to amend the Peace Corps Act to expand services and benefits for volunteers, and for other purposes.

H.R. 1551. An act to modernize copyright law, and for other purposes.

H.R. 4958. An act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities, and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, 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. 1093. An act to require the Federal Railroad Administration to provide appropriate congressional notice of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation.

H.R. 6756. An act to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; to the Committee on Finance.

H.R. 6757. An act to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; to the Committee on Finance.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 28, 2018, she had presented to the President of the United States the following enrolled bills:

S. 791. An act to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 1688. An act to rename a waterfront in the State of New York as the “Joseph Sanford Jr. Channel”.

S. 2559. An act to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 3479. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6624. A communication from the Chief of the Recruiting Policy Branch, Department of the Army, Department of Defense, transmitted pursuant to Senate resolution 1 to the Committee on Commerce, Science, and Transportation, and the second times by unanimous consent:

S. 3532. A bill to authorize the United States Postal Service to provide certain non-postal property, products, and services on behalf of State, local, and tribal governments.
in the Office of the President of the Senate on September 26, 2018; to the Committee on Armed Services.

EC–6623. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12192, dated July 19, 1976, with respect to significant foreign narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–6626. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Suspension of Community Eligibility; South Carolina: Camden, City of, Kershaw County, et al” ((44 CFR Part 64) (Docket No. FEMA–2018–0002)) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6627. A communication from the Director of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Protection Against Malevolent Use of Vehicles at Nuclear Power Plants” (NRC–2018–0296) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Environment and Public Works.

EC–6629. A communication from the Director of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Modification of the Effectiveness of Maintenance at Nuclear Power Plants” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Environment and Public Works.

EC–6630. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report on “Medicare Part B Premiums for Clinical Diagnostic Laboratory Tests in 2017: Year 4 of Baseline Data”; to the Committee on Finance.

EC–6631. 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 “Guidance under Section 132(g) for the Exclusion from Income of Qualified Moving Expense Reimbursements” (Notice 2018–75) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Finance.

EC–6634. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (RIN1212–AB51) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6635. A communication from the Senior Procurement Executive, Office of Acquisitions Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (RIN1212–AB51) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6636. A communication from the Senior Procurement Executive, Office of Acquisitions Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (RIN1212–AB51) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6637. A communication from the Senior Procurement Executive, Office of Acquisitions Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (RIN1212–AB51) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6638. A communication from the Senior Procurement Executive, Office of Acquisitions Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (RIN1212–AB51) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6639. A communication from the Inspector General, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a rule entitled “Increasing Charter Air Transportation Registration Fees” (RIN1213–AC41) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6640. A communication from the Attorney–Advisor, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6641. A communication from the Parole Specialist, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6642. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6643. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Commerce, Science, and Transportation.

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EC–6650. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6651. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Federals and Multiemployer Plans” (Reg. Guide 1.160, Revision 4) received in the Office of the President of the Senate on September 26, 2018; to the Committee on Commerce, Science, and Transportation.

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received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6651. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0159) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6652. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus SAS Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0557) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6653. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Aeronautica Espanola, S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0160) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6654. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0161) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6655. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bell Helicopter Textron Inc.” (RIN2120-AA64) (Docket No. FAA–2018–0162) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6656. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Helicopters” (RIN2120-AA64) (Docket No. FAA–2018–0163) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6657. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Bombardier Inc., Helicopters” (RIN2120-AA64) (Docket No. FAA–2018–0164) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6658. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0165) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6659. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0166) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6660. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0167) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6661. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0168) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6662. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0169) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6663. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0170) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6664. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0171) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6665. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0172) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6666. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0173) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6667. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0174) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6668. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” (RIN2120-AA64) (Docket No. FAA–2018–0175) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.
Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc Turbofan Engines" (RIN 2120–AA64) (Docket No. FAA–2018–10777) received in the Office of the President of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6683. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Bloomington, IL" (Docket No. FAA–2018–10491) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6684. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Lubbock, TX" (Docket No. FAA–2018–06251) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6685. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Pensacola, FL and Establishment of Class E Airspace; Milton, FL" (Docket No. FAA–2018–00621) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6686. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Establishment of Class E Airspace; Georgetown, TX, and Austin, TX" (Docket No. FAA–2018–01380) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6687. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Eastover, SC and Sumter, SC" (Docket No. FAA–2018–01311) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6688. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Lynchburg, VA" (Docket No. FAA–2018–04771) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6689. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Williamsport, PA" (Docket No. FAA–2018–04322) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6690. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Chicago Class B and Chicago Class C Airspace; Chicago, IL" (Docket No. FAA–2018–08323) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6691. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Lyons, KS" (Docket No. FAA–2018–01390) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6692. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Prohibition Against Certain Flights in the Pyongyang Flight Information Region (FIR) (ZKKP)" (Docket No. FAA–2018–06833) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6693. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Lyons, KS" (Docket No. FAA–2018–01390) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6694. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Prohibition Against Certain Flights in the Pyongyang Flight Information Region (FIR) (ZKKP)" (Docket No. FAA–2018–06833) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6695. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Chebeague Island, ME" (Docket No. FAA–2018–18047) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6696. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Lyons, KS" (Docket No. FAA–2018–01390) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.
of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6699. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace: Washington Island, WI” (RIN2120-AA66) (Docket No. FAA-2018-0018) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6700. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modifications and Establishment of Restricted Areas; Townsends, GA” (RIN2120-AA66) (Docket No. FAA-2018-0018) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6701. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airspace Designations: Incorporation by Reference” (RIN2120-AA66) (Docket No. FAA-2018-0018) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6702. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendments (133)” (RIN2120-AA66) (Docket No. FAA-2018-0018) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6703. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airspace Designations: Incorporation by Reference” (RIN2120-AA66) (Docket No. FAA-2018-0018) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6704. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendments (133)” (RIN2120-AA66) (Docket No. FAA-2018-0018) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6705. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revocation of Class E Airspace: Springfield, OH” (RIN2120-AA66) (Docket No. FAA-2017-1051) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6706. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures: Miscellaneous Amendments (62)” (RIN2120-AA66) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6707. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures: Miscellaneous Amendments (62)” (RIN2120-AA66) received in the Office of the President of the Senate on September 25, 2018; to the Committee on Commerce, Science, and Transportation.

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. 600. A bill to designate the facility of the United States Postal Service located at 1025 Autumn Avenue in Memphis, Tennessee, as the “Richard W. Williams Chapter of the Triple Nickles (555th P.L.A.) Post Office”.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3414. A bill to designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the “Wayne K. Curry Post Office Building”.

S. 3469. A bill to designate the facility of the United States Postal Service located at 105 Duff Street in Macon, Missouri, as the “Spc. Sterling William Wyatt Post Office Building”.

S. 5499. To designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the “Judge Russell B. Sugarman Post Office Building”.

H.R. 5694. A bill to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the “816 East Walnut Street Post Office Building”.

H.R. 5737. A bill to designate the facility of the United States Postal Service located at 811 North Meridian Road in Harrittown, Illinois, as the “Logan S. Palmer Post Office Building”.

H.R. 5841. To designate the facility of the United States Postal Service located at 106 West D Street in Alpha, Illinois, as the “Corporal Jeffery Allen Williams Post Office Building”.

H.R. 5939. To designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Specialist Trevor A. Win E Post Office”.

H.R. 5960. A bill to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the “Captain Matthew J. August Post Office Building”.

H.R. 5962. A bill to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Spc. Sterling William Wyatt Post Office Building”.

H.R. 5969. A bill to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Richard W. Williams Chapter of the Triple Nickles (555th P.L.A.) Post Office”.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4964. A bill to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Richard W. Williams Chapter of the Triple Nickles (555th P.L.A.) Post Office”.

H.R. 5694. A bill to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the “816 East Walnut Street Post Office Building”.

H.R. 5737. A bill to designate the facility of the United States Postal Service located at 811 North Meridian Road in Harrittown, Illinois, as the “Logan S. Palmer Post Office Building”.

H.R. 5841. To designate the facility of the United States Postal Service located at 106 West D Street in Alpha, Illinois, as the “Corporal Jeffery Allen Williams Post Office Building”.

H.R. 5939. To designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the “Judge Russell B. Sugarman Post Office Building”.

H.R. 5694. A bill to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the “816 East Walnut Street Post Office Building”.

H.R. 5737. A bill to designate the facility of the United States Postal Service located at 811 North Meridian Road in Harrittown, Illinois, as the “Logan S. Palmer Post Office Building”.

H.R. 5841. To designate the facility of the United States Postal Service located at 106 West D Street in Alpha, Illinois, as the “Corporal Jeffery Allen Williams Post Office Building”.

H.R. 5939. To designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the “Judge Russell B. Sugarman Post Office Building”.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.
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. NELSON (for himself and Mr. RUBIO):
S. 3529. A bill to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O’Keeffe Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRUZ:
S. 3526. A bill to amend title II of the Social Security Act to replace the windfall elimination provision with a formula equalizing benefits for certain individuals with non-covered employment, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself and Mr. WARREN):
S. 3527. A bill to extend the authorization for the Cape Cod National Seashore Advisory Commission; to the Committee on Energy and Natural Resources.

By Ms. STABENOW:
S. 3528. A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans, members of the reserve components of the Armed Forces, and dependents who were stationed at Wurtsmith Air Force Base in Oscoda, Michigan, and were exposed to volatile organic compounds, to provide for a presumption of service connection for those veterans and members of the reserve components, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NELSON (for himself, Mr. RUBIO, Mr. BROWN, Mr. ISAKSON, Mr. WARREN, and Mr. COONS):
S. Res. 661. A resolution expressing support for the designation of September 2018 as "Sickle Cell Disease Awareness Month" in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to sickle cell disease, complications of sickle cell disease, and conditions related to sickle cell disease; considered and agreed to.

By Ms. COLLINS (for herself and Mr. CARPER):
S. Res. 662. A resolution designating September 2018 as "Census Field Safety Month"; considered and agreed to.

S. 345

ADDITIONAL COSPONSORS

At the request of Mr. BOOKER, the names of the Senator from New Hampshire (Ms. SHAHEEN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1364, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

At the request of Ms. MURKOWSKI, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 2127, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

At the request of Mr. BROWN, the name of the Senator from Tennessee (Mr. Alexander) was added as a cosponsor of S. 2568, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

At the request of Mr. CASEY, the name of the Senator from Illinois (Ms. Duckworth) was added as a cosponsor of S. 2552, a bill to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act.

At the request of Ms. HARRIS, the names of the Senator from Washington (Ms. Cantwell) and the Senator from New Jersey (Mr. Booker) were added as cosponsors of S. 2918, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. Cantwell) was added as a cosponsor of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. Tillis) was added as a cosponsor of S. 3063, a bill to delay the re-imposition of the annual fee on health insurance providers until after 2020.

At the request of Ms. KLOBUCHAR, the names of the Senator from Kansas (Mr. Moran), the Senator from New Hampshire (Mrs. Shaheen) and the Senator from Maine (Mr. King) were added as cosponsors of S. 3181, a bill to direct the Secretary of Defense to include in periodic health assessments, separation history and physical examinations, and assessments an evaluation of whether a member of the Armed Forces has been exposed to open burn pits or toxic airborne chemicals, and for other purposes.

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. Lee), the Senator from Minnesota (Ms. Klobuchar) and the Senator from Texas (Mr. Cruz) were added as cosponsors of S. 3339, a bill to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

At the request of Ms. HARRIS, the names of the Senator from Missouri (Mr. Blunt) and the Senator from Colorado (Mr. Gardner) were added as cosponsors of S. 3339, a bill to posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States.

At the request of Mr. SCHUMER, the name of the Senator from Maine (Mr.
At the request of Mr. MENENDEZ, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 220, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 527

At the request of Mr. PERDUE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 527, a resolution congratulating the people of Georgia on the 100th anniversary of its declaration of independence as a democratic republic and reaffirming the strength of the relationship between the United States and Georgia.

S. RES. 633

At the request of Mrs. MCCASKILL, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 633, a resolution expressing the sense of the Senate that Congress should take all appropriate measures to ensure that the United States Postal Service remains an independent establishment of the Federal Government and is not subject to privatization.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. COLLINS, Mrs. GILLIBRAND, Ms. MURKOWSKI, Mr. WHITEHOUSE, Ms. WARREN, Mr. KING, Mr. JONES, Mr. Kaine, Ms. HASSAN, Mr. BLUMENTHAL, and Mr. CASEY):

S. 3530. A bill to reauthorize the Museum and Library Services Act; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be here today by a group of members on both sides of the aisle and in both bodies in introducing legislation today to renew the law that expands the reach of libraries and museums and enables them to better serve their communities. These vital institutions educate, inform, engage, and connect people from all walks of life.

Our legislation, the Museum and Library Services Act of 2018, is similar to legislation I also introduced on a bipartisan basis in December. That legislation was developed with input and insights from the library and museum communities. Since that time, it became apparent in the library community that a vital change was needed to ensure that funding increases for the State formula grant program would be more broadly shared by States around the nation. Under the current formula, smaller States have seen little in the way of new funding even as funding significantly increased by 13 percent over the past few years. The last time we addressed this issue was in 2003, and an update, while ensuring no State would lose funding, is needed today so that more communities can benefit from increased investments in our Federal library program.

I am grateful our revised bill has the support of the American Library Association, the American Alliance of Museums, and many of their affiliated associations. I thank Senators COLLINS, GILLIBRAND, MURKOWSKI, and our many colleagues who are joining us in introducing this bill today. I look forward to working with them and the entire Senate on moving this bill swiftly to passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 660—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF SEPTEMBER 23 THROUGH SEPTEMBER 29, 2018, AS RAIL SAFETY WEEK IN THE UNITED STATES, AND SUPPORTING THE GOALS AND IDEALS OF RAIL SAFETY WEEK TO REDUCE RAIL-RELATED ACCIDENTS, FATALITIES, AND INJURIES

Mr. NELSON (for himself, Mr. THUNE, Mr. PETERS, and Mrs. FISCHER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. Res. 660

Whereas the first Rail Safety Week was held from September 24 through September 30, 2007, by the national education safety nonprofit Operation Lifesaver, the Department of Transportation, and other organizations;

Whereas Rail Safety Week was launched to raise awareness about the need for increased education on how to be safe around highway-rail grade crossings and railroad tracks, and to highlight efforts to further reduce collisions, injuries, and fatalities;

Whereas highway-rail grade crossing and trespassing accidents constituted approximately 96 percent of all rail related fatalities in fiscal year 2017;

Whereas the number of public crossings has declined 8 percent, while the number of gates increased by 30 percent, since 2008;

Whereas, in 2017, 49 percent of all grade crossing collisions and 61 percent of all fatal grade crossing collisions occurred at gated crossings;

Whereas while grade crossing injuries are 16 percent lower, grade crossing fatalities are 6 percent lower, and grade crossing collisions are 13 percent lower since 2008, challenges remain;

Whereas, in 2017, there were 824 rail-related fatalities and 8,112 rail-related injuries in the United States;

Whereas preliminary Federal statistics show that more than 2,117 highway-grade crossing crashes occurred during 2017, resulting in 272 persons killed and another 833 injured across the United States;

Whereas trespassing incidents on railroad property resulted in 313 injuries and another 508 injured across the Nation in 2017;

Whereas many collisions between trains and motor vehicles or pedestrians could have been prevented by increased education, engineering, and enforcement;

Whereas Operation Lifesaver, the foremost public information and education program for rail safety, administers a public education program about grade-crossing safety and prevention of trespassing;

Whereas during Rail Safety Week, from September 23 through September 29, without the year, everyone is encouraged to observe added caution as motorists or pedestrians approach tracks or trains;

Whereas, for the first time, the United States and Canada will observe Rail Safety Week concurrently; and

Whereas this important observance should lead to greater safety awareness and a reduction in highway-rail grade crossing crashes and pedestrian and railroad incidents: Now, therefore, be it

Resolved. That the Senate—

(1) supports the designation of Rail Safety Week;

(2) expresses strong support for the goals and ideals of Rail Safety Week and efforts to reduce rail-related accidents, fatalities, and injuries; and

(3) encourages the people of the United States to participate in Rail Safety Week events and activities and to educate themselves and others on how to be safe around railroad tracks.

SENATE RESOLUTION 661—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2018 AS ‘SICKLE CELL DISEASE AWARENESS MONTH’ IN ORDER TO EDUCATE COMMUNITIES ACROSS THE UNITED STATES ABOUT SICKLE CELL DISEASE AND THE NEED FOR RESEARCH, EARLY DETECTION METHODS, EFFECTIVE TREATMENTS, AND PREVENTATIVE PROGRAMS WITH RESPECT TO SICKLE CELL DISEASE, COMPlications FROM SICKLE CELL DISEase, AND CONDITIONS RELATED TO SICKLE CELL DISEase

Mr. SCOTT (for himself, Mr. BOOKER, Mr. RUBIO, Mr. BROWN, Mr. ISAKSON, Ms. WARREN, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. Res. 661

Whereas sickle cell disease (referred to in this preamble as “SCD”) is an inherited blood disorder that is a major health problem in the United States and worldwide;

Whereas SCD causes the rapid destruction of sickle cells, which results in multiple medical complications, including anemia, jaundice, gallstones, strokes, restricted blood flow, damaged tissue in the liver, spleen, and kidneys, and death;

Whereas SCD causes episodes of considerable pain in the arms, legs, chest, and abdomen of an individual;

Whereas SCD affects an estimated 100,000 individuals in the United States;

Whereas approximately 1,000 babies are born with SCD each year in the United
States, with the disease occurring in approximately 1 in 365 newborn African-American infants and 1 in 16,300 newborn Hispanic-American infants, and is found in individuals of African, Middle Eastern, Asian, and Indian origin.

Whereas more than 3,000,000 individuals in the United States have the sickle cell trait and 1 in 13 African-Americans carries the trait;

Whereas there is a 1 in 4 chance that a child born to parents who both have the sickle cell trait will have the disease;

Whereas the life expectancy of an individual with SCD is often severely limited;

Whereas, while hematopoietic stem cell transplantation (commonly known as “HSCT”) is currently the only cure for SCD and advances in treating the associated complications of SCD have occurred, more research is needed to find widely available treatments and cures to help patients with SCD; and

Whereas September 2018 has been designated as Sickle Cell Disease Awareness Month in order to educate communities across the United States about SCD, including early detection methods, effective treatments and cures, and other patient services for those suffering from SCD; and

Whereas more than 3,000,000 individuals in the United States have the sickle cell trait; and

Whereas approximately 87 percent of those who die from complications of SCD are between the ages of 0 and 50 years and are African-American; and

Whereas more than 3,000,000 individuals in the United States have sickle cell trait and 1 in 13 African-Americans carries the trait;

Whereas September 2018 has been designated as Sickle Cell Disease Awareness Month in order to educate communities across the United States about SCD, including early detection methods, effective treatments and cures, and other patient services for those suffering from SCD; and

Whereas more than 3,000,000 individuals in the United States have the sickle cell trait; and

Whereas approximately 87 percent of those who die from complications of SCD are between the ages of 0 and 50 years and are African-American; and

Whereas many fatal fires have occurred in off-campus residences;

Whereas a majority of college students in the United States live in an off-campus residence;

Whereas many fires occur in a building in which the occupants had compromised or disabled the fire safety systems; and

Whereas automatic fire alarm systems and smoke alarms provide the early warning of a fire that is necessary for occupants of a building and the fire department to take appropriate action;

Whereas automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, thus protecting the lives of the building occupants;

Whereas many college students live in an off-campus residence, fraternity or sorority housing, or a residence hall that is not adequately protected by an automatic fire sprinkler system and an automatic fire alarm system or adequate smoke alarm; and

Whereas fire safety education is an effective method of reducing the occurrence of fires and the resulting loss of life and property damage;

Whereas college students do not routinely receive effective fire safety education while in college;

Whereas educating young people in the United States about the importance of fire safety is vital to help ensure that young people engage in fire-safe behavior during college and after college; and

Whereas developing a generation of adults who practice fire safety may significantly reduce future loss of life from fires: Now, therefore, be it

Resolved, That the Senate—

(A) to provide educational programs about fire safety to all college students in September and throughout the school year;

(B) to evaluate the level of fire safety being provided in both on-campus and off-campus student housing; and

(C) to ensure State living environments through fire safety education, installation of fire suppression and detection systems and smoke alarms, and the development and enforcement of applicable codes relating to fire safety.

SENATE CONCURRENT RESOLUTION 49—PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF S. 2553

Ms. STABENOW submitted the following concurrent resolution; which was considered and agreed to:

S. Con. Res. 49

Amend the title so as to read: “A bill to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding prices for certain drugs and biologicals.”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4026. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4026. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4027. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4028. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4029. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4030. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4027. Mr. MCCONNELL proposed an amendment to amendment SA 4026 proposed by Mr. MCCONNELL to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4028. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4029. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

SA 4030. Mr. MCCONNELL proposed an amendment to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; as follows:

Measure read the first time—S. 3532

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading; hearing no objection, pro tempore. The clerk will read the title of the bill for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3532) to authorize the United States Postal Service to provide certain non-postal property, products, and services on behalf of State, local, and tribal governments.

Mr. MCCONNELL. I now ask for a second reading and, in place to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be read for the second time on the next legislative day.

To extend the authorizations of Federal Aviation Programs, to extend the funding and expenditure authority of the airport and airway trust fund

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the automatic consideration of H.R. 6897, which was received from the House.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.
The senior assistant legislative clerk read as follows:

A bill (H.R. 6897) to extend the authorization of Federal aviation programs, to extend the funding and expenditure authority of the Airports and Airway Trust Fund, 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.

The bill (H.R. 6897) was ordered to a third reading, was read the third time, and passed.

PRACTICAL REFORMS AND OTHER GOALS TO REINFORCE THE EFFECTIVENESS OF SELF-GOVERNANCE AND SELF-DETERMINATION FOR INDIAN TRIBES ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read the third time.

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 bill (S. 2515) was passed, as follows:

S. 2515

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Practical Reforms and Other Goals To Reinforce the Effectiveness of Self-Governance and Self-Determination for Indian Tribes Act of 2018” or the “PROGRESS for Indian Tribes Act”.

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TRIBAL SELF-GOVERNANCE

Sec. 101. Tribal self-governance.

TITLE II—INDIAN SELF-DETERMINATION

Sec. 201. Definitions; reporting and audit requirements; application of provisions.

in the Tribal organization, is eligible under subsection (c).

(4) Tribal withdrawal from a Tribal organization.—

(A) by general.—An Indian Tribe that withdraws from participation in a Tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian Tribe is eligible under subsection (b).

(B) Effect of withdrawal.—If an Indian Tribe withdraws from participation in a Tribal organization, the Indian Tribe shall be entitled to withdraw the Tribal share of funds and resources supporting the programs that the Indian Tribe is entitled to carry out under the funding agreement and funding agreement of the Indian Tribe.

(C) Participation in self-governance.—

The withdrawal of an Indian Tribe from a Tribal organization shall not affect the eligibility of the Tribal organization to participate in self-governance on behalf of one or more other Indian Tribes, if the Tribal organization still qualifies under subsection (c).

(D) Withdrawal process.—

(i) In General.—An Indian Tribe may, by Tribal resolution, fully or partially withdraw its Indian Tribe from a Tribal organization, on behalf of the Indian Tribe.

(ii) Notification.—The Indian Tribe shall provide a copy of the Tribal resolution described in clause (i) to the Secretary.

(iii) Effective date.—

(A) In General.—A withdrawal under clause (i) shall become effective on the date specified in the resolution, the withdrawing Indian Tribe, and the Tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian Tribe or Tribal organization.

(B) Effect of withdrawal.—

(i) In General.—If an Indian Tribe seeking to begin participation in self-governance shall complete a planning phase as provided in this subsection.

(ii) Activities.—The planning phase shall—

(1) be conducted to the satisfaction of the Indian Tribe;

(2) include—

(A) an eligibility determination, financial stability and financial management capability as evidenced by the Indian Tribe having no uncorrected and uncorrected and unmodified audit results, the Indian Tribe, and the remaining financial obligations set forth in section 4(b).

(c) Eligibility.—To be eligible to participate in self-governance, an Indian Tribe shall—

(1) fully or partially withdraw from the Tribal organization on behalf of the withdrawing Indian Tribe.

(ii) request participation in self-governance by resolution or other official action by the Tribal governing body; and

(iii) demonstrate, for the 3 fiscal years preceding the date on which the Indian Tribe requests participation, financial stability and financial management capability as evidenced by the Indian Tribe having no uncorrected and unmodified audit results, and the Indian Tribe, and the remaining financial obligations set forth in section 4(b).

(d) Planning process.—

(i) In General.—An Indian Tribe seeking to begin participation in self-governance shall complete a planning phase as provided for in this subsection.

(ii) Activities.—The planning phase shall—

(A) be conducted to the satisfaction of the Indian Tribe;

(B) include—

(1) legal and budgetary research; and

(2) internal Tribal government planning, training, and organizational preparation.

(e) Grants.—

(i) In General.—Subject to the availability of appropriations, an Indian Tribe or Tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants.

(ii) Amounts.—(A) an Indian Tribe or Tribal organization that seeks participation in self-governance, an Indian Tribe shall—

(1) distribute any program in a funding agreement on behalf of the withdrawing Indian Tribe or Tribal organization.

(2) negotiate and enter into a Tribal organization resolution, fully or partially withdraw from the Tribal organization.

(3) Tribal organization still qualifies under subsection (c).

(f) Withdrawal.—

(i) In General.—If an Indian Tribe that withdraws from a participating Tribal organization, in whole or in part, shall be entitled to withdraw the Tribal share of funds and resources supporting the programs that the Tribal organization is entitled to carry out under the funding agreement of the Tribal organization.

(ii) Notice.—The Tribal organization shall provide a copy of the Tribal resolution described in clause (i) to the Secretary.

(iii) Effective date.—

(A) In General.—A withdrawal under clause (i) shall become effective on the date specified in the resolution, the withdrawing Indian Tribe, and the Tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian Tribe or Tribal organization.

(B) Effect of withdrawal.—

(i) In General.—If an Indian Tribe seeking to begin participation in self-governance shall complete a planning phase as provided for in this subsection.

(ii) Activities.—The planning phase shall—

(A) be conducted to the satisfaction of the Indian Tribe;

(B) include—

(1) a legal and budgetary research; and

(2) internal Tribal government planning, training, and organizational preparation.

(g) Funding agreements.—Section 412(c) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5393) is amended—

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

(A) Authorization.—The Secretary shall, on request of any Indian Tribe or Tribal organization, and into a compact a Tribal organization, the Tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants.

(a) Authorization.—The Secretary shall, on the request of any Indian Tribe or Tribal organization to enter into a Tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants.

(i) plan to participate in self-governance;

and

(ii) to negotiate the terms of participation by the Indian Tribe or Tribal organization in self-governance, as set forth in a compact and a funding agreement.

(2) Receipt of grant not required.—Receipt of a grant under subsection (1) shall not be a requirement of participation in self-governance.

(3) Funding agreements.—Section 403 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5393) is amended—

(1) in subsection (a) and inserting the following:

(A) the services to be provided under the funding agreement for Indian Tribe or tribal organization;

(B) by striking any other program, service, function, or activity (or portion thereof) that is provided through the Bureau of Indian Affairs, the Office of the Assistant Secretary for Indian Affairs, the Office of the Special Trustee for American Indians with respect to which Indian Tribes or Indians are primary or significant beneficiaries; and

(ii) by redesignating subparagraphs (C) through (J) of section 213(b) and inserting the following:

(B) by striking ‘‘such agreement to—’’ and all that follows through ‘‘Indian tribe’’ and inserting ‘‘such agreement to each Indian Tribe’’;

(C) by striking ‘‘agreement’’ and inserting ‘‘agreement’’;

and

(D) by striking paragraphs (2) and (3) of section 213(b) and inserting the following:

(E) Other provisions.—

(i) Excluded funding.—A funding agreement shall not authorize an Indian Tribe to plan, conduct, or receive Tribally share funding under any program that

(A) is provided under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); or

(B) is provided for elementary and secondary schools under the formula developed under section 1127 of the Education Amendments of 1978 (25 U.S.C. 1801 et seq.);

and

(ii) Services, functions, and responsibilities.—A funding agreement shall specify—

(A) the services to be provided under the funding agreement;

(B) the functions to be performed under the funding agreement; and

(C) the responsibilities of the Indian Tribe and the Secretary under the funding agreement.

(3) Base budget.—

(A) In General.—A funding agreement shall include the option of modifying, or diminishing in any way the trust responsibility of the United States with respect to Indian
Tribes and individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

(4) AMENDMENT.—The Secretary shall not revise, amend, or require additional terms in a new or subsequent funding agreement without the consent of the Indian Tribe, unless such terms are required by Federal law.

(5) EXISTING FUNDING AGREEMENTS.—An Indian Tribe participating in self-governance under this title, as in effect on the date of enactment of the PROGRESS for Indian Tribes Act, shall have the option at any time after that date—

(1) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

(2) to negotiate a new compact in a manner consistent with this title.

(6) MUTUALLY REVISION AGREEMENTS.—An Indian Tribe may, at the discretion of the Indian Tribe, negotiate with the Secretary for a funding agreement with a term that exceeds 1 year.

(c) GENERAL REVISIONS.—Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.) is amended by striking sections 404 through 408 and inserting the following:

"SEC. 404. COMPACTS.—

(1) SUBSEQUENT FUNDING AGREEMENTS.—Absent notification from an Indian Tribe that the Indian Tribe is withdrawing or retrenching the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement—

(A) a funding agreement shall remain in full force and effect until a subsequent funding agreement is executed, with funding paid annually for each fiscal year the agreement is in effect; and

(B) the term of the subsequent funding agreement shall be retroactive to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

(B) to negotiate a new funding agreement in a manner consistent with this title.

(3) EXISTING FUNDING AGREEMENTS.—An Indian Tribe that was participating in self-governance under this title on the date of enactment of the PROGRESS for Indian Tribes Act shall have the option at any time after that date—

(A) to retain its existing funding agreement (in whole or in part) to the extent that the provisions of that funding agreement are not directly contrary to any express provision of this title; or

(B) to negotiate a new funding agreement in a manner consistent with this title.

(d) MULTIYEAR FUNDING AGREEMENTS.—An Indian Tribe may, at the discretion of the Indian Tribe, negotiate with the Secretary for a funding agreement with a term that exceeds 1 year.

(e) GENERAL REVISIONS.—Title IV of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.) is amended by striking sections 404 through 408 and inserting the following:

"SEC. 404. COMPACTS.—

(1) IN GENERAL.—The Secretary shall not be considered to be Federal records under chapter 5 of title 5, United States Code.

(2) CONFLICTS OF INTEREST.—An Indian Tribe—

(A) may redesign or consolidate programs, or reallocate funds for programs, in a compact or funding agreement in any manner that the Indian Tribe determines to be in the best interest of the Indian community being served—

(1) so long as the redesign or consolidation does not have the effect of denying eligibility for services to population groups otherwise eligible to be served under applicable Federal law; and

(2) except that, with respect to the reallocation of funds transferred to an Indian Tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Indian Tribe through the annual trust evaluation.

(3) EXCEPTION.—If the Secretary finds that—

(A) an imminent jeopardy to a trust asset, a natural resource, or public health and safety; and

(ii) arises out of a failure to carry out the compact or funding agreement; or

(ii) gross mismanagement with respect to funds transferred to an Indian Tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Indian Tribe through the annual trust evaluation.

(4) NONDUPLICATION.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is to be provided to an Indian Tribe under this title, the Indian Tribe—

(i) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian Tribe shall be eligible for new programs on the same basis as other Indian Tribes; and

(ii) shall be responsible for the administration of programs in accordance with the compact or funding agreement.

(5) RECORDS.—

(1) IN GENERAL.—Unless an Indian Tribe specifies otherwise in a funding agreement, records of an Indian Tribe shall not be considered to be Federal records for purposes of chapter 5 of title 5, United States Code.

(2) RECORDKEEPING SYSTEM.—An Indian Tribe shall—

(A) maintain a recordkeeping system; and

(B) in the period of not less than 30 days, provide the Secretary with reasonable access to the records to enable the Department to meet the requirements of sections 101 through 106 of title 44, United States Code.

"SEC. 406. PROVISIONS RELATING TO THE SECRETARY.—

(1) IN GENERAL.—A compact or funding agreement shall include provisions for the Secretary to reassume a program and associated funding if there is a specific finding relating to that program that—

(A) imminent jeopardy to a trust asset, a natural resource, or public health and safety that—

(i) is caused by an act or omission of the Indian Tribe; and

(ii) arises out of a failure to carry out the compact or funding agreement; or

(iii) gross mismanagement with respect to funds transferred to an Indian Tribe under a compact or funding agreement, as determined by the Secretary in consultation with the Indian Tribe through the annual trust evaluation.

(2) PROHIBITION.—The Secretary shall not reassume operation of a program, in whole or part, unless—

(B) the Indian Tribe does not take corrective action to remedy the mismanagement of the funds or programs, or the imminent jeopardy to a trust asset, natural resource, or public health and safety.

(3) EXCEPTION.—

(A) IN GENERAL.—Notwithstanding paragraph (2), the Secretary may, on written notice to the Indian Tribe, immediately reassume operation of a program if—

(i) the Secretary makes a finding of imminent and substantial jeopardy and irreparable harm to a trust asset, a natural resource, or public health and safety caused by an act or omission of the Indian Tribe; and

(ii) the imminent and substantial jeopardy and irreparable harm to the trust asset, natural resource, or public health and safety arises out of a failure by the Indian Tribe to carry out the terms of an applicable compact or funding agreement.

(B) REASSUMPTION.—If the Secretary reassumes operation of a program under subparagraph (A), the Secretary shall provide the Indian Tribe with a hearing on the record not later than 10 days after the date of reassumption.
"(c) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—

"(1) FINAL OFFER.—If the Secretary and a participating Indian Tribe are unable to agree, in part, or in terms of a compact or funding agreement (including funding levels), the Indian Tribe may submit a final offer to the Secretary.

"(2) DETERMINATION.—Not more than 60 days after date of receipt of a final offer by one or more of the officials designated pursuant to paragraph (4), the Secretary shall review and make a determination with respect to any final offer, except that the Secretary shall have the right to extend for up to 30 days for circumstances beyond the control of the Secretary, upon written request by the Secretary.

"(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian Tribe and the Secretary.

"(4) DESIGNATED OFFICIALS.—

"(A) IN GENERAL.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).

"(B) NO DESIGNATION.—If no official is designated, the Director of the Office of the Executive Secretariat and Regulatory Affairs shall be the designated official.

"(5) NO TIMELY DETERMINATION.—If the Secretary fails to make a determination with respect to any final offer within the period specified in paragraph (2), including any extension agreed to under paragraph (3), the Secretary shall be deemed to have agreed to the offer, except that with respect to any compact or funding agreement provision concerning a program described under section 403(c), the Secretary shall have the burden of proof—

"(1) of demonstrating, by a preponderance of the evidence, the validity of the grounds for rejection of a final offer under subsection (b); and

"(2) of clearing the burden of proof of the validity of the grounds for rejecting a final offer made under subsection (c).

"(6) GOOD FAITH.—(1) IN GENERAL.—In the negotiation of compacts and funding agreements, the Secretary shall at all times negotiate in good faith to maximize implementation of the self-governance provisions described in the compact or funding agreement.

"(2) POLICY.—The Secretary shall carry out this title in a manner that maximizes the policy of Tribal self-governance.

"(c) SAVINGS CLAUSE.—Notwithstanding subsection (b), nothing in this section authorizes the Secretary to enforce the responsibilities of the certifying Tribal official assuming the status of a responsible Federal official under those Acts, laws, or regulations.

"(d) CODES AND STANDARDS.—In carrying out a construction project under this title, an Indian Tribe shall—

"(1) adhere to applicable Federal, State, local, and Tribal building codes, architectural and engineering standards, and applicable Federal guidelines regarding design, space, and operational standards, appropriate for the particular project; and

"(2) use only architects and engineers who—

"(A) are licensed to practice in the State in which the facility will be built; and

"(B) certify that—

"(i) they are qualified to perform the work required by the specific construction involved; and

"(ii) upon completion of design, the plans and specifications meet or exceed applicable construction and safety codes.

"(e) TRIBAL ACCOUNTING.—

"(1) IN GENERAL.—In carrying out a construction project under this title, an Indian Tribe shall—

"(i) develop a comprehensive financial statement of the project; and

"(ii) implement an accounting system for each construction project so that the financial reports shall be capable of being certified by independent public accountants.

"(2) REQUIREMENTS.—For each construction project, the Indian Tribe shall—

"(C) provide for the participation of the Tribe in the preparation of the construction contract, and in the selection of the Tribe's consultant or architect.

"(D) provide for an independent audit of the Tribe's financial statements with respect to the project, and

"(E) provide for a financial statement of the Tribe's financial position with respect to the project.
"(F) the obligations of the Indian Tribe to comply with the codes referenced in subsection (d) and applicable Federal laws and regulations;

(G) the vote of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction; and

(H) the Secretary to issue a certificate of occupancy, if requested by the Indian Tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian Tribe has secured upon completion the review and approval of the plans and specifications, sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

(f) FUNDING.—

(1) IN GENERAL.—Funding appropriated for construction projects carried out under this title shall be included in funding agreements as annual or semiannual advance payments at the discretion of the Indian Tribe.

(2) ADVANCE PAYMENTS.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian Tribe shall be responsible for the management of the contingency funds.

(g) NEGOTIATIONS.—At the option of the Indian Tribe, construction project funding provided pursuant to Federal law shall be determined through the statutory process in section 106, and any resulting construction project agreement shall be incorporated into the funding agreement as adopted.

(h) FEDERAL REVIEW AND VERIFICATION.—

(1) IN GENERAL.—On a schedule negotiated by the Secretary and the Indian Tribe

(2) OVERSIGHT VISITS.—The Secretary may conduct onsite project oversight visits semiannually or other periodic transfers of funding to be made commencing at the beginning of a fiscal year or requirement.

(i) FUTURE FUNDING.—Upon completion of an activity under a program or project funded under this title, the Secretary shall transfer to the Indian Tribe all funds provided in the funding agreement for programs in an Indian Tribe or its members) without regard to the organization level within the Department at which the programs are carried out.

(ii) IN GENERAL.—Subject to subsection (e) and sections 403 and 405, the Secretary shall provide funds to the Indian Tribe under a funding agreement in an amount that is equal to the amount that the Indian Tribe would have been provided by the Secretary are provided under this Act (including amounts for direct program and contract support costs and, in addition, any funds that are specifically or functionally related to the Secretary or other Federal resources (including supplies, services, and resources available to the Secretary under any procurement contracts in which the Secretary is a participant), the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian Tribe under this title.

(iii) ADJUSTMENTS.—The Secretary may reduce any programs, services, or funds under this title.

(iv) NOTICE OF INSUFFICIENCY.—If at any time the Indian Tribe has reason to believe that the total amount provided for a specific activity as required by the Indian Tribe, a funding agreement with the use of Federal personnel, Federal supply sources (including lodging, airline transportation, and other means of transportation, including the use of inter-agency pool vehicles), and resources available to the Secretary or other Federal resources under any procurement contracts in which the Secretary is a participant, the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian Tribe under this title.

(iii) SAVINGS CLAUSE.—Nothing in this section reduces programs, services, or funds under this title.

"(j) INTEREST OR OTHER INCOME.—

(1) IN GENERAL.—All funds paid under a compact or funding agreement to carry out governmental purposes.

(2) NO EFFECT ON OTHER AMOUNTS.—The retention of interest or income earned on any funds paid under a compact or funding agreement shall remain available until expended.

(3) INVESTMENT STANDARD.—Funds transferred under this title shall be invested under the prudent invest-
funds provided under this title unless otherwise agreed by the parties to an applicable funding agreement.

(n) APPLICABILITY.—Notwithstanding any other provision of this section, subsection (a) of the PROGRESS for Indian Tribes Act applies to subsections (a) through (m).

SEC. 409. FACILITATION.

(a) In general.—Except as otherwise provided by law (including section 101(a) of the PROGRESS for Indian Tribes Act), the Secretary shall interpret each Federal law and regulation in a manner that facilitates—

(1) the inclusion of programs in funding agreements; and

(2) the implementation of funding agreements.

(b) Regulation Waiver.—

(1) REQUEST.—An Indian Tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

(A) an identification of the specific text in the regulation sought to be waived; and

(B) the basis for the request.

(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian Tribe.

(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian Tribe and the Secretary.

(4) DESIGNATED OFFICIALS.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the waiver request described in paragraph (1).

(5) GROUNDS FOR DENIAL.—The Secretary may deny a request under paragraph (1) upon a specific finding by the Secretary that the identification of the regulation may not be waived because such a waiver is prohibited by Federal law.

(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to make a determination with respect to a waiver request within the period specified in paragraph (2) (including any extension agreed to under paragraph (3)), the Secretary shall be deemed to have agreed to the request, except that for a waiver request relating to programs eligible under section 403(b)(2) or section 403(c), the Secretary shall approve or deny the requested waiver in writing to the Indian Tribe.

SEC. 410. DISCRETIONARY APPLICATION OF OTHER SECTIONS.

(a) IN GENERAL.—Except as otherwise provided in section 201(d) of the PROGRESS for Indian Tribes Act, at the option of a participating Indian Tribe or Indian Tribes, any of the provisions of title I may be incorporated in any funding agreement under this title. The inclusion of any such provision shall be subject to, and shall not conflict with, section 101(a) of such Act.

(b) EFFECT.—Each incorporated provision under subsection (a) shall—

(1) have the same force and effect as if set out in full in this title;

(2) supplement or replace any related provision in this title; and

(3) apply to any agency otherwise governed by this title.

(c) EFFECTIVE DATE.—If an Indian Tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation—

(1) except as immediately; and

(2) control the negotiation and resulting compact and funding agreement.

SEC. 411. ANNUAL BUDGET LIST.

The Secretary shall list, in the annual budget request submitted to Congress under section 1105 of title 31, United States Code, all programs funded by Federal appropriations that are eligible for inclusion in funding agreements authorized under this title.

SEC. 412. REPORTS.

(a) IN GENERAL.—

(1) REQUIREMENT.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

(2) ANALYSIS.—Any Indian Tribe may submit to the Office of Self-Governance and to the appropriate committees of Congress a detailed annual analysis of unmet Tribal needs for funding agreements under this title.

(b) CONTENTS.—The report under subsection (a)(1) shall—

(1) be comprised from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

(2) identify—

(A) the relative costs and benefits of self-governance;

(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian Tribes and members of Indian Tribes;

(C) the funds transferred to each Indian Tribe and the corresponding reduction in the Federal employees and workload; and

(3) be distributed to the Indian Tribe for comment (with a comment period of not less than 30 days);

(4) include the separate views and comments of each Indian Tribe or Tribal organization; and

(5) include a list of—

(A) all such programs that the Secretary determines, in consultation with Indian Tribes participating in self-governance, are eligible for negotiation to be included in a funding agreement at the request of a participating Indian Tribe; and

(B) all such programs which Indian Tribes have formally requested to include in a funding agreement under section 403(b)(2) or section 403(c), the Secretary shall be deemed to have denied the request.

(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

SEC. 415. APPEALS.

(1) PROMULGATION.—Not later than 90 days after the date of enactment of the PROGRESS for Indian Tribes Act, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5, United States Code, to negotiate and promulgate such regulations as are necessary to carry out this title.

(2) DETERMINATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this title shall be published in the Federal Register not later than 21 months after the date of enactment of the PROGRESS for Indian Tribes Act.

(3) EXPIRATION OF AUTHORITY.—The authority to promulgate regulations under paragraph (1) shall expire on the date that is 30 months after the date of enactment of the PROGRESS for Indian Tribes Act.

(4) COMMITTEE.—

(a) MEMBERSHIP.—A negotiated rule-making committee established pursuant to section 565 of title 5, United States Code, to carry out this section shall have as its members representatives of the Federal Government and Tribal government.

(b) LEAD AGENCY.—Among the Federal representatives described in paragraph (1), the Office of Self-Governance shall be the lead agency for the Department.

(c) ADAPTATION OF PROCEDURES.—The Secretary shall adopt the negotiated rule-making procedures to the extent of self-governance and the government-to-government relationship between the United States and Indian Tribes.

(5) EFFECT.—

(1) REPEAL.—The Secretary may repeal any regulation that is inconsistent with this Act.

(2) CONFLICTING PROVISIONS.—Subject to section 101(a) of the PROGRESS for Indian Tribes Act and except with respect to programs described under section 403(c), this title shall supersede any conflicting provision of law (including any conflicting regulations).

(3) EFFECTIVENESS WITHOUT REGARD TO REGULATIONS.—The lack of promulgated regulations on an issue shall not limit the effect or implementation of this title.

SEC. 414. EFFECT OF DIRECTIVES, POLICIES, MANUALS, GUIDANCE, AND RULES.

Unless expressly agreed to by a participating Indian Tribe in a compact or funding agreement, the participating Indian Tribe shall not be subject to any agency circular, policy, manual, guidance, or rule adopted by the Department, except for—

(1) the eligibility provisions of section 106(c); and

(2) regulations promulgated pursuant to section 413.

SEC. 418. APPEALS.

Appeals as provided in section 406(d), in any administrative action, appeal, or civil action for judicial review of any decision
made by the Secretary under this title, the
Secretary shall have the burden of proof
demonstrating by a preponderance of the
evidence—
(1) the validity of the grounds for the de-
cision; and
(2) the consistency of the decision with the
requirements and policies of this title.

SEC. 416. APPLICATION OF OTHER PROVISIONS.
Section 314 of the Department of the In-
terior and Related Agencies Appropriations
Act, 1991 (Public Law 101-512; 104 Stat. 1959),
shall continue in force until the amendments and funding agree-
ments entered into under this title.

SEC. 417. AUTHORIZATION OF APPROPRIATIONS.
"There are authorized to be appropriated
such sums as may be necessary to carry out this title.

TITLE II—INDIAN SELF-DETERMINATION
SEC. 201. DEFINITIONS; REPORTING AND AUDIT
REQUIREMENTS; APPLICATION OF PROVISIONS.
(a) Definitions.—
(1) IN GENERAL.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304) is amended by strik-
ing subsection (j) and inserting the fol-
lowing:
"(j) 'self-determination contract' means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a Tribal organization and the appropriate Secretary for the planning, con-
duct, and administration of programs or services that are otherwise provided to In-
dian Tribes and members of Indian Tribes
pursuant to Federal law, subject to the con-
dition that, except as provided in section 105(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—
"(1) considered to be a procurement con-
tract; or
"(2) except as provided in section 107(a)(1), subject to any Federal procurement law (in-
cluding regulations);''.

(b) TECHNICAL AMENDMENTS.—Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304), as amended by paragraph (1), is further amend-
ed—
(A) in subsection (e), by striking "'Indian tribe' means" and inserting "'Indian Tribe' or 'tribal organization' means"; and
(B) in subsection (l), by striking "'tribal organization' means" and inserting "'Tribal organization' or 'tribal organization' means".

SEC. 202. CONTRACT ADMINISTRATIVE REQUIREMENTS.
Section 105 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324) is amended—
(1) in subsection (b), in the first sentence, by striking "pursuant to" and all that fol-
lores through "of this Act" and inserting "pursuant to sections 102 and 103"; and
(2) by adding at the end the following:
"(k) INTERPRETATION BY SECRETARY.—Ex-
cept as otherwise provided by law, the Sec-
retary shall interpret all Federal laws (in-
cluding regulations) and Executive orders in a
manner that facilitates, to the maximum extent practicable—
"(1) the implementation in self-determination contracts and funding agreements of—
"(A) applicable programs, services, func-
tions, and activities (or portions thereof); and
"(B) funds associated with those programs, services, functions, and activities;
"(2) the implementation of self-determina-
tion contracts and funding agreements; and
"(3) the achievement of Tribal health ob-
jectives;''.

(q) TECHNICAL ASSISTANCE FOR IN-
ternal Controls.—In considering proposals for,

amendments to, or in the course of, a con-
tract under this title and compacts under ti-
tle IV and V of this Act, if the Secretary de-
termines that the Indian Tribe lacks ade-
quate internal controls necessary to manage
the technical assistance provided, and a de-
velops a plan for assessing the subsequent
effectiveness of such technical assistance.
The inability of the Secretary to provide
such technical assistance or lack of a plan under
this subsection shall not result in the re-
assumption of an existing agreement, con-
tact, or compact, or declination or rejection of a new contract or compact.
"(2) The Secretary shall prepare a report to be included in the information required
for the reports under sections 405(b)(1) and 514(b)(2)(A). The Secretary shall include in
this report, in the aggregate, a description of the internal controls that were inadequate,
the technical assistance provided, and a de-
scription of Secretarial actions taken to ad-
dress any remaining inadequate internal
controls after the implementation of technical as-
sistance and implementation of the plan re-
quired by paragraph (1).''.

SEC. 204. CONTRACT FUNDING AND INDIRECT
COSTS.
Section 106(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5323(a)(3)) is amended—
(1) in subparagraph (A)(i), by striking "," and and in-
serting ";" and
(B) in clause (ii), by striking "expense re-
lated to the overhead associated with the
"(2) by redesigning subparagraph (B) as
subparagraph (C); and
(3) by inserting after subparagraph (A) the fol-
lowing:
"(C) In calculating the reimbursement rate for expenses described in subparagraph
(A)(ii), not less than 50 percent of the ex-
penditures described in subparagraph (A)(ii) that
are allocable to the governing body of an In-
dian Tribe or Tribal organization relating to a
Federal program, function, service, or ac-
tivity carried out pursuant to the contract shall be considered to be reasonable and al-
lowable.".

SEC. 205. CONTRACT OR GRANT SPECIFICATIONS.
Section 108 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5329) is amended—
(1) in subsection (a)(2), by inserting "subject to
sections (a) and (b) of section 102," before "contain";
(2) in subsection (f)(2)(A)(i)(I) of the model agreement contained in section (c), by in-
serting "subject to subsections (a) and (b) of
section 102 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5321)," before "such other provisions"; and
(3) in subsection (b)(7)(C) of the model
agreement contained in section (c), in the second sentence of the matter preceding clause (I), by striking "―one performance monitoring visit‖ and inserting "two performance monitoring visits‖.
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.

NATIONAL WORKFORCE DEVELOPMENT MONTH
Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judi-
ciary Committee be discharged from further consideration of S. Res. 632 and
the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tem-
pore. The clerk will report the resolu-
tion by title.

The senior assistant legislative clerk read as follows:
A resolution (S. Res. 632) designating Sept-
ember 2018 as "National Workforce Develop-
ment Month."

There being no objection, the Senate
proceeded to consider the resolution.
Mr. McCONNELL. Mr. President, I ask unanimous consent that the reso-
lution be agreed to, the preamble be
agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate. The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 632) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

SICKLE CELL DISEASE AWARENESS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 661, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 661) expressing support from the designation of September 2018 as “Sickle Cell Disease Awareness Month” in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to sickle cell disease, complications from sickle cell disease, and conditions related to sickle cell disease.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 661) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

CAMPUS FIRE SAFETY MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 662, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 662) designating September 18, 2018 as “Campus Fire Safety Month.”

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 662) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the consideration of the House message to accompany H.R. 6, the opioids bill.

I further ask consent that the majority leader or his designee be recognized to make a motion to concur; that there be up to 4 hours of debate on the motion, equally divided in the usual form; and that following the use or yielding back of that time, the Senate vote on the motion to concur with no further intervening action or debate.

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

NOMINATION OF BRETT KAVANAUGH

Mr. MCCONNELL. Mr. President, for the information of all of our colleagues, there were two very significant developments today.

This morning, the Judiciary Committee reported out Judge Kavanaugh favorably. All 11 Republican members of the Judiciary Committee voted in favor of reporting him out with a favorable recommendation. No. 2, we will shortly move to proceed to the Kavanaugh nomination, and I am pleased to announce that all 51 Republican Members of the Senate support the motion to proceed to the nomination. One hundred percent of the Republican conference supports proceeding to the Kavanaugh nomination.

Now, in committee, they reviewed the most pages of documents ever produced pertaining to any Supreme Court nomination—literally, hundreds of judicial opinions from his tenure on the Court of Appeals for the DC Circuit and 5 days of hearings during which Judge Kavanaugh testified for nearly 40 hours. Judge Kavanaugh testified on every topic, from complicated legal subjects to sensitive personal matters, and the committee received and testimony from countless personal friends, classmates, coworkers, former clerks, and other associates.

So the picture that has emerged from all of this is clear: Judge Kavanaugh is one of the most qualified and most impressive Supreme Court nominees in the history of our country.

He has excelled at the highest levels of legal scholarship. He holds two degrees from Yale and, for years, has lectured at Harvard Law School. He has issued more than 500 legal opinions from what is widely considered the second highest court in the Nation. Several have subsequently been cited in the Supreme Court’s own majority opinions. Along the way, he has built an outstanding reputation within the legal community for his clear and thoughtful writing and his exemplary, fair-minded judicial temperament.

Judge Kavanaugh’s qualifications have been affirmed by his peers and by renowned legal scholars from across the ideological spectrum. One self-described liberal Democrat who advised him at Yale Law School said that Judge Kavanaugh “commands wide and deep respect among scholars, lawyers, and jurists.”

This praise has been echoed by hundreds of character witnesses who have testified before the Senate or written us letters to praise Judge Kavanaugh’s personal character and his integrity in the strongest terms.

The committee has also thoroughly investigated the last-minute allegations that have been brought forward. The evidence that has been produced either fails to corroborate these accusations or, in fact, support Judge Kavanaugh’s unequivocal denial, and, in some cases, the accusers have even recanted their baseless allegations.

In all, this is a nominee who has received what many have considered the gold standard of judicial qualification—a rating of unanimously “well qualified” from the American Bar Association.

So this is a nomination that deserves to move forward, and that is precisely what is happening.

I commend our colleagues on the committee for sending this impressive nominee here to the floor with a favorable recommendation.

Now we will keep the process moving. The full Senate will begin consideration of Judge Kavanaugh’s nomination today.

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2017

Mr. MCCONNELL. Mr. President, I understand the Senate has received a message from the House to accompany H.R. 302.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. MCCONNELL. I move that the Chair lay before the Senate the message to accompany H.R. 302.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

The ACTING PRESIDENT pro tempore 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. 302) entitled “An Act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State,” with an amendment to the Senate amendment.

MOTION TO CONCUR

Mr. MCCONNELL. I move to concur in the Senate amendment to the Senate amendment.
The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The 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. 302.

MOTION
Mr. McConnell. I send a cloture motion to the desk on the motion to concur.

The ACTING PRESIDENT pro tempore. 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:

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. 302, an act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.


MOTION TO CONCUR WITH AMENDMENT NO. 4026
Mr. McConnell. I move to concur in the House amendment with a further amendment.

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

The 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. 302, with an amendment numbered 4026.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

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

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 amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4027
Mr. McConnell. I have an amendment to the instructions.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:
The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 4027 to the instructions of the motion to refer H.R. 302.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4028 TO AMENDMENT NO. 4026
Mr. McConnell. I have a second-degree amendment at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:
The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 4028 to amendment No. 4026.

Mr. McConnell. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:
Strike "2 days" and insert "3 days."

MOTION TO REFER WITH AMENDMENT NO. 4028
Mr. McConnell. I move to refer the House message on H.R. 302 to the Committee on Commerce with instructions to report back forthwith.

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

The legislative clerk read as follows:
The Senator from Kentucky [Mr. McConnell] moves to refer the message to accompany H.R. 302 to the Committee on Commerce with instructions, being amendment numbered 4028.

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 ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4029
Mr. McConnell. I have an amendment to the instructions of the motion to refer H.R. 302.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:
The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 4029 to the instructions of the motion to refer H.R. 302.

Mr. McConnell. I ask unanimous consent that the mandatory quorum be dispensed with.

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

The amendment is as follows:
Strike "4" and insert "5".

Mr. McConnell. I ask unanimous consent that following the prayer and pledge, the Senate remain in executive session; further, that if cloture is invoked, the Senate remain in executive session and the postcloture time continue to run as otherwise under the rule; finally, that upon the use or yielding back of the postcloture time, the Senate vote, as if in legislative session, on the motion to concur.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McConnell. Mr. President, I move to proceed to executive session to consider Calendar No. 112.

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

The question is on agreeing to the motion.

The motion was agreed to.

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

The senior assistant legislative clerk read the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.

AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. McConnell. Mr. President, I ask unanimous consent that the majority leader and the senior Senator from Arkansas be authorized to sign duly enrolled bills or joint resolutions during the upcoming recess of the Senate.

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

ORDERS FOR MONDAY, OCTOBER 1, 2018

Mr. McConnell. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 3 p.m., Monday, October 1; that following the prayer and pledge, the Journal of proceedings be approved to date and the time for the two leaders be reserved for their use later in the day.

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

RECESS UNTIL MONDAY, OCTOBER 1, 2018, AT 3 P.M.

Mr. McConnell. Mr. President, if there is no further business to come before the Senate, I ask that it stand in recess under the previous order.
Thereupon, the Senate, at 6:21 p.m., recessed until Monday, October 1, 2018, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

JEAN NELLIE LIANG, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2010, VICE JANET L. YELLEN, RESIGNED.

TRADE AND DEVELOPMENT AGENCY

DARRELL E. ISSA, OF CALIFORNIA, TO BE DIRECTOR OF THE TRADE AND DEVELOPMENT AGENCY, VICE LEOCADIA IRINE ZAK.

UNITED NATIONS

ANDREW P. BREMMER, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF STATE

JEFFREY L. EBERHARDT, OF WISCONSIN, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NONPROLIFERATION, WITH THE RANK OF AMBASSADOR.

CHRISTOPHER PAUL HENZEL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF YEMEN.

LYNNE M. TRACY, OF OHIO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA.

UNITED STATES PAROLE COMMISSION

VIRGIL MADDEN, OF INDIANA, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR A TERM OF SIX YEARS, VICE PATRICIA CUSHWA, TERM EXPIRED.

MONICA DAVID MORRIS, OF FLORIDA, TO BE A COMMISSIONER OF THE UNITED STATES PAROLE COMMISSION FOR A TERM OF SIX YEARS, VICE J. PATRICIA WILSON-SMOTHERS, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MICAH B. BELL
EDWARD G. DEXTRAZE
THADDEUS D. FINERAN
BRIAN S. HERRINGTON
JAMES W. HICKS
MAURICE A. MARSHALL
EARL G. MATTHEWS
THOMAS E. MORTIMER III
PAUL T. SELLS
JOSEPH J. SHARKEY
TANYA B. TROUT

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 28, 2018 withdrawing from further Senate consideration the following nomination:

ANTHONY KURTA, OF MONTANA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE, VICE LAURA JUNIOR, RESIGNED, WHICH WAS SENT TO THE SENATE ON JULY 25, 2017.
EXTENSIONS OF REMARKS

RECOGNIZING EAGLE SCOUT TROOP 121 ON ITS 50TH ANNIVERSARY

HON. TOM McCLINTOCK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. McCLINTOCK. Mr. Speaker, congratulations to Scoutmaster Mitch Garsen and all the leaders and young people of Eagle Scout Troop 121 on its 50th anniversary. It has been 50 years of amazing success, culminating in the 300th young man from the troop being recently awarded an Eagle. Troop 121 is known for its adventurous spirit, sending Scouts to New Mexico, to the wilds of northern Minnesota and to Sea Base in Florida to experience a range of physical and mental challenges that mold Eagles.

A major force in the success of Troop 121 was the presence of John Hooten who passed away in March. John served as Scoutmaster for more than 20 years, motivating many to attain the highest rank of Eagle Scout. His contributions will never be forgotten.

Troop 121 is well positioned to continue its mission of providing a quality Scouting program for the young men and women in the Granite Bay/South Placer area. I wish them continued success in helping create America’s future leaders.

HONORING JONATHAN GOLD

HON. JUDY CHU
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. JUDY CHU of California. Mr. Speaker, I rise today to honor Jonathan Gold, award-winning food critic and longtime Pasadena resident, who passed away in July from pancreatic cancer at the age of 57. Mr. Gold was the first food writer to be awarded a Pulitzer Prize, in 2007, and was also the recipient of five James Beard Awards for his reviews and criticism.

Jonathan Gold was born in South Los Angeles on July 28, 1960, and remained a true Angeleno for his whole life, attending high school in Beverly Hills and college at the University of California, Los Angeles. While he is best known for his passion for food, Mr. Gold is credited for introducing Los Angeles and its people to new foods, culture and experiences.

Mr. Gold began his writing career as a copy editor for the LA Weekly while he was still a student at UCLA. After receiving his bachelor’s degree in the history of music, he went on to serve as a music editor for the Weekly, until he began writing his now-famous food column, Counter Intelligence, in 1986. At a time when most food critics were focused on haute cuisine and high-end dining, Mr. Gold was an avid pursuer of local establishments, publishing rave reviews of street food, hole-in-the-wall joints, and neighborhood spots. His poetic prose, vivid descriptions of taste and texture, and eclectic references to everything from pop culture to historical ephemera earned his writing many devoted followers. It was no surprise that he won the Pulitzer Prize in 2007.

I have personally followed Mr. Gold’s work for years, as he moved from the LA Weekly, to Gourmet, to the Los Angeles Times, shinning a light on neighborhoods and establishments all around Los Angeles and the San Gabriel Valley. Mr. Gold’s reviews became an essential guide to Los Angeles, giving a window into the way in which food can bring communities together, writing about both the food itself and the people who prepared it. He frequently wrote about ethnic food and Los Angeles’ many immigrant communities, in an effort he described as “celebrating the glorious mosaic of the city.” His deep love of Los Angeles showed in the rich map he created of the city and its people, crisscrossing the San Gabriel Valley in his pickup truck, always in search of new and exciting places to eat and new people with whom to share a meal.

Mr. Gold is survived by his wife, Laurie Ochoa, and their two children, Isabel and Leon. It is my distinct honor to commemorate the life and writing of Jonathan Gold and his lasting impact on Los Angeles and the San Gabriel Valley.

The Health Team provided individual health counseling, referral to community resources, and blood pressure readings. Volunteers also run programs such as Lunch n’ Life, Adventures in Learning, trips and outings, special events, and caregivers’ support groups. In 2014, SCOV was recognized for these efforts as an Outstanding Volunteer Caregiving Program by the National Volunteer Caregiving Network.

The services and programs offered by this extraordinary organization help to ensure that older adults stay connected to the community through the promotion of active lifestyles, ongoing social integration, and availability of resources for older residents to use and share their experience, training, and skills.

Mr. Speaker, I ask that my colleagues join me in congratulating the Shepherd’s Center of Oakton-Vienna on its 20th anniversary and for its work to enable older adults in our community to age in place and enjoy their golden years with dignity and independence. I thank the many volunteers who generously dedicate their time and efforts to the well-being of our neighbors. The value of their contributions cannot be overstated and are truly deserving of our highest praise.

CHINA’S WAR ON CHRISTIANITY AND OTHER RELIGIOUS FAITHS

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. SMITH of New Jersey. Mr. Speaker, yesterday we held a hearing on the lack of religious freedom in China today.

Several years ago during a visit to the United States, Xi Jinping chose to be interviewed by a Chinese reporter living in the U.S. After the interview, President Xi asked a single question of this reporter—not about his family and not about whether he enjoyed living in America—the one question he asked was “Why do so many Chinese students and faculty living in the United States become Christians?” Whatever was behind that question, religious freedom conditions in China have not improved because of it. Quite the opposite, in fact, as Xi has personally launched efforts to “sinicize religion” and the central government has issued commands to each provincial Party Secretary, making them responsible to bring religion in line with Communist Party ideology.

The Chinese government is an equal opportunity abuser of religious freedom. As U.S. Commission on International Religious Freedom Chair Tenzin Dorjee testified, Xi Jinping’s stated goal of “sinicization” affects all religious communities in China—Tibetan Buddhists, Falun Gong practitioners, Daoists, Muslims, and Christians.

Over the past year, the Chinese government has intensified the most severe crackdown on religious activities since the Cultural Revolution. Regulations on religious affairs issued in

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
February tightened existing restriction and new draft regulations are being circulated to clamp down on religious expression online. Churches, mosques, and temples have been demolished, crosses destroyed, children have been prohibited from attending services, and surveillance cameras are being installed in churches.

Xi Jinping talks about realizing the “China Dream”—but when Bibles are burned, when a simple prayer over a meal in public may be an illegal religious gathering, and when over a million Uyghur and Kazakh Muslims are interned in “reeducation camps” and forced to renounce their faith—that dream is a nightmare.

Much in the news lately has been the Chinese government’s targeting of Christians. The “sinicization campaign” has affected both state-controlled and unregistered churches—Protestant and Catholic. Clergy remain in prison and the human rights lawyers who defend religious believers have been jailed, disappeared, or tortured into silence. Xi Jinping views the fast-growing Christian churches, particularly the Protestant “house church” movement that does not belong to the state-sanctioned Protestant entities, as a threat to the dominance of the Chinese Communist Party. One of our witnesses yesterday, my good friend the Rev. Dr. Bob Fu, has detailed on countless occasions the Communist Party’s vicious war on independent house churches.

Underground Catholics—meaning those who do not belong to the state-sanctioned Patriotic Association—have faced tremendous persecution for decades, including Bishop Su Zhimin who I met with in 1994.

Bishop Su’s body bore witness to the brutality of China’s Communist Party. He was beaten,starved, and tortured for his faith and spent some 40 years in prison. Yet, he prayed not just for the persecuted church, but for the conversion of those who hate, torture and kill. Unfortunately, only a couple of years later Bishop Su was arrested again and disappeared. He has not been heard from since.

Today, efforts to forcibly close underground parishes expanded this year. China’s Ethnic and Religion Bureau told the state propaganda arm that “activities of illegally-built parishes will be prohibited” and underground Catholic churches were being shuttered this very summer.

Recent reports indicate that a deal has been struck by the Holy See and the Chinese government whereby the Pope will have veto power over Chinese government-approved candidates to be ordained as bishops. In exchange, seven previously excommunicated bishops, ordained without papal mandate and appointed by the Chinese government, will be welcomed into full communion with Rome. Already, the Vatican has asked two validly ordained bishops to step aside to make way for two formerly excommunicated bishops. Cardinal Joseph Zen, bishop emeritus of Hong Kong, has questioned whether Vatican officials making these decisions “know what true suffering is.”

The reports are that this deal is provisional and full details are yet unknown. The devil will be in the details—including the fate of underground churches and relations with Taiwan. But with all the efforts underway to forcibly sinicize religion, it certainly seems an odd time to strike a deal with Xi Jinping’s China. I hope and pray this agreement will bring true religious freedom for Catholics in China—who have suffered so much to maintain their faith. We will continue to monitor the situation closely to see if force is used by the Chinese government to close all “underground” or unregistered Catholic churches as a result of this deal.

We heard from Dr. Tom Farr on what the implications of this deal would be and his recommendations for U.S. religious freedom diplomacy.

U.S.-China tensions are high at the moment on many fronts and the Chinese government presumably is searching for ways to reduce tension. But in a hasbro and sickle to the cross or jailing a million Uyghur Muslims will only ensure a tougher China policy, one with widespread, bipartisan and even global support.

HONORING REP. H.M. “MICKEY” MICHAUX

HON. DAVID E. PRICE
OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to honor the leadership and service of one of our State’s most influential leaders. Mickey Michaux has retired from the North Carolina General Assembly after nearly five decades of distinguished and impactful public service.

For many residents of Durham and the State of North Carolina, Mickey Michaux’s lifelong service has been synonymous with our growth and progress as a region as well as the challenges we have faced as a state and nation. As a young business and civic leader, he was at the forefront of the civil rights movement as it swept through the South. Dr. Martin Luther King, Jr. ’s first visit to Durham in 1956 came at Michaux’s invitation, building on Martin Luther King, Jr.’s first visit to Durham in 1956.

As a young business and civic leader, Michaux was at the forefront of the civil rights movement as it swept through the South. Dr. Martin Luther King, Jr. ’s first visit to Durham in 1956 came at Michaux’s invitation, building on Martin Luther King, Jr.’s first visit to Durham in 1956. Michaux’s lifelong service has been synonymous with our growth and progress as a region as well as the challenges we have faced as a state and nation.

Mickey Michaux has not hesitated to take on difficult causes. My wife Lisa greatly admired his introduction in the early 1990s of legislation designed to keep guns out of the wrong hands; her hope in founding North Carolinians Against Gun Violence was to make his cause a less lonely one.

Lisa and I have known Mickey for the 45 years we have both been in North Carolina. I worked with him as state Democratic chairman and then benefitted from his counsel and encouragement when I decided to seek office myself. He was especially welcoming and helpful when my district was redrawn to include Durham in 1997. I had a lot to learn, and I will always be grateful for Mickey’s generosity in easing my way.

Mickey has received countless awards and recognitions for his service, including the Order of the Long Leaf Pine earlier this year. He has been a mainstay of numerous bar and real estate associations, the Durham Commission on the Affairs of Black People, and St. Joseph’s AME Church. He is a member of the Black College Alumni Hall of Fame, served as an NCCU Trustee, and was National President of the N.C. Central Alumni Association for three terms. The H. M. Michaux, Jr. School of Education Building at NCCU was dedicated in his honor in 2007.

On behalf of North Carolina’s Congressional delegation and my constituents in the Fourth District, I join Mickey’s many friends, colleagues, and constituents in thanking him for his commitment and service to the city of Durham and the State of North Carolina. He leaves his community stronger than he found it, better equipped to nurture future generations of conscientious and effective leaders. All North Carolinians are in his debt. We wish him, his wife June, and their family well as he begins the next chapter in his life.

FRANK Rewold And Son, Inc.

HON. MIKE BISHOP
OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to congratulate Frank Rewold and Son, as this year marks the business’ 100th anniversary in my hometown of Rochester, Michigan.

In 1918, the widow of John Frances Dodge, of Dodge Motor Car Company, a co-founder of Oakland University, hired an established carpenter by the name of Frank Rewold. This marked the beginning of decades of building,
fixing, and problem solving by this incredible family. Frank Rewold passed the legacy onto his apprentice and son Roy Rewold. Over the last 100 years, generations of Rewolds have designed and built countless structures in our community—everything from higher education buildings to manufacturing facilities. I’m proud of the heritage and reputation this company has maintained since 1918—their integrity, relationship focused, and honest outlook have resulted in historical connections that span generations.

In their 4th generation of leadership, Frank Rewold and Son continued to be family-owned and operated business. I’m grateful to have the incredible Frank Rewold and Son team investing and thriving in our community for the last 100 years.

Again—congratulations to Frank Rewold and Son on achieving this enormous milestone. I wish them continued success in the future.

HONORING THE 125TH ANNIVERSARY OF WHEELER MISSION MINISTRIES

HON. TODD ROKITA OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute an exceptional ministry in the State of Indiana. This year Wheeler Mission Ministries is celebrating its 125th anniversary.

In 1893, a small group of women from the Women’s Christian Temperance Union recognized a tragedy in their city: “friendless women” in Indianapolis were regularly abandoned at Union Station, having no place to go and no one to care for them. As a response, those pioneering women opened a small residence and no place to go and no one to care for them. As a response, those pioneering women opened a small refuge and residence for women in need, a refuge known today as Wheeler Mission. One hundred twenty-five years later, Wheeler Mission has expanded to become the oldest continuously operating ministry of its kind in the state of Indiana. Offering the Indianapolis and Bloomington communities homeless shelters, residential programming, addiction recovery services, and social enterprises, Wheeler has expanded to 9 locations and dozens of ministries. While its programs and services have adapted to the every-changing needs of the community, Wheeler remains focused and unwavering in its commitment to Christ and the transformation that is possible through the Gospel.

PERSONAL EXPLANATION

HON. STEVE KING OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. KING of Iowa. Mr. Speaker, on September 25, 2018, I voted against H.R. 6369, the Expanding Contracting Opportunities for Small Business Act (2018, as amended (Roll Call No. 401). H.R. 6369 was brought to the floor for a vote under suspension of the Rules of the House of Representatives. H.R. 6369 increases the dollar cap of sole-source awards under the HUBZone Program, Service-Disabled Veteran-Owned Small Business (SDVOSB) Program, and Women-Owned Small Business (WOSB) Program. Although I support increasing the dollar cap of sole-source awards for our nation’s service-disabled veterans, I reject the equivocation between service-disabled veterans and women. When it comes to being a small business owner, it is easy to understand that our nation’s service-disabled veterans may need and definitely deserve an assist. However, women are just as qualified and able to succeed as anyone. We need to remove the line between those who served our nation and suffered a disability on account of it, and those who are biologically female, and fully capable of succeeding as a small business owner, just as much as any other American.

SAINT AMBROSE EPISCOPAL CHURCH: 150 YEARS OF FAITHFUL WITNESS

HON. DAVID E. PRICE OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to commemorate the 150th anniversary of Saint Ambrose Episcopal Church, located in the district I represent in Raleigh, North Carolina.

Saint Ambrose was founded in 1868 as a ministry serving emancipated persons of African ancestry. At its founding, Saint Ambrose Church was the worshipping community associated with Saint Augustine’s College. Reverend Jacob Brinton Smith was the first pastor, and the first building was placed on a tract authorized by the North Carolina legislature in downtown Raleigh.

In 1896, under the leadership of Rev. James E. King, St. Ambrose became a free-standing congregation. Shortly thereafter, parishioners moved the entire building one mile, to the corner of South Wilmington and Cabarrus Streets, and renovated the church to include education rooms and a rectory. In the 1950’s, under the leadership of Rev. George A. Fisher, the church attained parish status, becoming the first historically African American mission in the Episcopal Diocese of North Carolina to do so.

My own ties to St. Ambrose date to the long tenure (1959–98) of a wonderful pastor, Rev. Arthur Calloway, who also served three terms on the Raleigh City Council. Father Calloway oversaw the construction of the church’s present facility on Darby Street in 1965 and the addition of an education wing in 1987. He was a civil rights leader, a prophetic voice in the community, and a mentor to many—among whom I am privileged to count myself.

Today, Saint Ambrose continues in this strong tradition of ministry and service, led by an inspiring young pastor, Rev. Robert Jermonde Taylor. He was preceded by Rev. Kimberly Lucas, the first female rector and the first African American woman ordained priest in the diocese.

As we look back at the legacy of Saint Ambrose, we give thanks for the church’s positive impact on the lives of countless citizens in Raleigh and the surrounding communities. The congregation has set a powerful example by proclaiming the gospel faithfully and ministering to the community in multiple ways—ranging from tutoring at-risk youth to partnering with Raleigh Urban Ministries, Alcoholics and Narcotics Anonymous, and Partners for Environmental Justice. On behalf of North Carolina’s congressional delegation and myself, I am pleased to offer my congratulations to the leaders, congregants, and friends of Saint Ambrose Episcopal Church as they celebrate their 150th Anniversary and look forward to the decades of ministry and service to come.

RECOGNIZING SEPTEMBER AS DYSTONIA AWARENESS MONTH

HON. CHRISTOPHER H. SMITH OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to join those who have participated in public activities and forums this month to mark September as Dystonia Awareness Month. Public awareness events and campaigns help raise funds for improved research and treatment to one day find a cure.

Dystonia is a neurological movement disorder that causes muscles to contract and spasm involuntarily. It affects men, women, and children. Dystonia can be generalized, affecting all major muscle groups, and resulting in twisting, repetitive movements and abnormal postures. It can also be focal, affecting a specific part of the body such as legs, arms, hands, neck, face, mouth, eyelids, or vocal cords.

Dystonia is a chronic disorder producing symptoms that vary in degrees of frequency, intensity, disability, and pain depending on the type of dystonia. The inability to predict or control the movements of body parts vital to mobility and communication has a profound impact on an individual’s life, and the lives of their loved ones.

I am proud to represent the Nachbar Family of Freehold, New Jersey, Janice and Len Nachbar are the incredibly devoted parents of Joanna—a beautiful, smart woman who is afflicted with dystonia. In their role as leaders of the Central New Jersey Dystonia Support and Action Group, they are active advocates on behalf of their daughter and the dystonia community. The Nachbars are just one of the thousands of families nationwide who are part of the Dystonia Medical Research Foundation, which raises awareness for dystonia and provides support to patients, families, and caregivers.

Since I first met the Nachbars and learned of dystonia, I have repeatedly requested adequate appropriations for important research funded by the National Institutes of Health and the Department of Defense, and in 2015 I hosted a Congressional briefing where the Nachbars and other members of the dystonia community testified to the importance of funding and awareness for this terrible disorder. Despite the prevalence of dystonia, awareness and proper diagnosis of this disorder is alarmingly limited. Many patients report that it took years to receive a correct diagnosis. Currently there is no single test to confirm the diagnosis of dystonia. Instead, the diagnosis
rests in a physician’s ability to observe symptoms of dystonia and obtain a thorough patient history.

In order to correctly diagnose dystonia, doctors must be able to recognize the physical signs and be familiar with the symptoms. In certain instances, tests may be ordered to rule out other conditions or disorders. The kind of specialist who typically has the training to diagnose and treat dystonia is a movement disorder neurologist. Awareness and recognition of dystonia is crucial.

I encourage my colleagues to learn more about dystonia and how it impacts the livelihood of its constituents, and honor the important work the Dystonia Medical Research Foundation, and families like the Nachbars, do to raise awareness and give hope to patients across the country.

HONORING CONNOR FRANTZ FOR HIS WORK WITH VETERANS

HON. BRAD R. WENSTRUP
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. WENSTRUP. Mr. Speaker, I rise in recognition of Connor Frantz, a remarkable young man from Cincinnati.

Connor has a heart for serving our veterans. As early as the age of 9, he was thinking up ways to make a difference in the lives of those who served our great nation.

He recently created his own nonprofit, called “Heroes Are Never Alone.” Connor’s organization partners with the Cincinnati Department of Veterans Affairs to most efficiently connect community support to veterans in need. Connor has helped raise more than $8,000 so far.

Just this past winter, Heroes Are Never Alone had a tangible impact on Cincinnati’s homeless population. Connor’s donations were used to purchase winter clothing for veterans on the streets, in shelters, and temporary housing. His donations were also used to purchase hundreds of bus passes that allowed veterans to secure employment, access to housing, and services at food pantries. Connor’s organization even donated a storage unit that is now used to store furniture that can be provided to veterans moving into permanent housing.

Mr. Speaker, we cannot end veteran homelessness on our own from Washington. We all benefit from initiatives by private citizens like Connor, who have a passion for helping veterans transition out of this condition. I hope you’ll join me in thanking Connor for his efforts. We look forward to following young Connor Frantz’s continued good work.

APPRECIATION FOR THE WORK OF CONGRESSIONAL STAFFER MATT POWELL

HON. TOM MARINO
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. MARINO. Mr. Speaker, I rise today to acknowledge and thank a longtime staffer of mine, Matt Powell, who recently left my office to pursue a Master’s Degree in Public Health.

Matt is a constituent of the district I represent, Pennsylvania’s 10th Congressional District, growing up in Susquehanna County. He attended Forest City High School and earned his Bachelor’s Degree from Keystone College in Lackawanna County. Matt is a born and bred Northeastern Pennsylvanian who decided to serve his constituents and his area by becoming an intern in one of my district offices. Matt immediately excelled in his role, and once we had an opening in my Washington, D.C. office we brought him on board right away. Matt worked in my Washington, D.C. office for over 5 years where he eventually became my Senior Legislative Assistant handling an array of important policy issues. Matt’s passion has always been in healthcare policy, and I am pleased to see he is pursuing higher education in this field. I thank Matt for his dedicated and hard work for the constituents of PA-10, and I wish him the best of luck in any of his future endeavors.

RECOGNIZING THE 2018 BEST OF BRADDOCK AWARD RECIPIENTS

HON. GERALD E. CONNOLLY
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the annual Best of Braddock Awards. These awards are the result of collaboration between the Braddock District Council and Braddock District Supervisor and are presented to individuals and organizations whose extraordinary efforts make our community a better place.

I have been proud to represent this community since my days as Chairman of the Fairfax County Board of Supervisors. The level of civic engagement celebrated by these awards is a testament to the community spirit of the Braddock District. I have often said that civic engagement is a key indicator of a healthy community and tonight’s event proves that Braddock District continues to be one of the healthiest communities in all of Northern Virginia. That is due in no small part to the actions of those honored here this evening. I extend my congratulations to all of tonight’s honorees and commend them for their efforts on behalf of others and in making our community one of the best places in the country in which to live, work and raise a family.

It is my honor to include in the RECORD the following recipients of the 2018 Best of Braddock Awards:

- Marilyn Sitts—Olde Forge/Square Civic Association, Hospitality Chairperson
- Donna Fricas—Olde Forge/Square Civic Association, Little Free Library Project Coordinator
- Sarah Lennon—Kings Park West Civic Association, Parks and Lake Chairperson, Leader of the Road Ragers Cleanup Team
- Cathy DeLoach and Andrew Hovland—Long and Foster Mary and Cathy Team, Kings Park West Tour of Homes Coordinators
- Judy Nitsche—Friends of Kings Park Library, Book Sale Chair
- Evan Broome—Aurora Woods—Fairfax County Neighborhood and Community Services, Neighborhood College Coordinators

Mr. Speaker, I ask you and my colleagues to join me in celebrating this monumental year marking a century of protecting birds. My hope is that we continue to advance sound policies and proper funding on behalf of the nation’s migratory birds and all Americans, so that our proud conservation legacy will live on.

RECOGNIZING THE 25TH ANNIVERSARY OF ST. MARY’S ETHIOPIAN ORTHODOX TEWAHEDO CHURCH

HON. MIKE COFFMAN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the 25th anniversary of St. Mary’s Ethiopian Orthodox Tewahedo Church located in my home town of Aurora, Colorado. This landmark anniversary is a significant milestone as St. Mary’s is not only an important religious institution, it is an important part of our community.

I am proud to represent the largest Ethiopian community in the State of Colorado in the United States House of Representatives. These Ethiopian immigrants are welcome and valued members of our community. They have opened small businesses, become homeowners, and become vital members of our
community. St. Mary’s is an important foundation in the lives of these Ethiopian-Americans where they can to come together, as promised in the First Amendment to the U.S. Constitution, to practice their shared faith and help those within their community in times of need. St. Mary’s became the first Ethiopian Orthodox Church in Colorado when it was established in 1993. The church has experienced both triumphs and setbacks, but it has nevertheless always maintained its commitment to the community and willingness to serve. This is why St. Mary’s continues to grow and thrive as it members celebrate their successes, their sorrow, and support in time of distress.

I offer my warmest and best wishes to the people and the leadership of St. Mary’s Ethiopian Orthodox Tewahedo Church on their 25th anniversary. I know St. Mary’s will continue to grow, to thrive, to serve its members, and to be a part of our community that is both a welcoming and diverse place.

CLARITY ON SMALL BUSINESS PARTICIPATION IN CATEGORY MANAGEMENT ACT OF 2018

SPEECH OF
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 25, 2018

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 6382, the “Clarity on Small Business Participation in Category Management Act,” a bill which seeks to improve participation in federal contracting by small businesses.

The “Clarity on Small Business Participation in Category Management Act,” requires that the Small Business Administration report to Congress on the total amount of government-wide spending under the Category Management approach, and more importantly, the number of small businesses awarded contracts under Category Management and the dollar amount of such contracts.

This information will allow Congress to determine whether Category Management is negatively impacting the participation of small businesses—including, minority-owned, women-owned, and veteran-owned companies—in the federal marketplace.

While I appreciate that the rationale behind Category Management is to save taxpayer dollars by reducing contract redundancies and costs and shrink administrative burdens, I share the concerns of many that the expanded use of Category Management, as proposed by the Trump Administration, will result in less opportunities for small businesses to secure federal contracts.

Research published in a Federal News Radio article has shown that past contract consolidation efforts by the federal government have decreased the amount of small prime contractors obtaining federal work. As such, we must exercise vigilance to guard against the diminution of small business participation in the federal marketplace under Category Management.

As a longstanding advocate for small businesses, I am pleased to be an original co-sponsor on this legislation, and I thank the gentlelady from North Carolina, Ms. ADAMS, for bringing the bill forward.

With that, I urge my House colleagues to support small businesses by voting in favor of this legislation.

IN REMEMBRANCE OF MARGARET BRADFORD-MATTHES

HON. ROBERT A. BRADY
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BRADY of Pennsylvania. Mr. Speaker, it is with a heavy heart that I rise today in remembrance of Margaret Bradford-Matthews. Margaret was born in Philadelphia on September 26, 1949. She spent much of her youth in service to the A.M.E. Union Church. Shortly after graduating from William Penn High School in 1967, Margaret became one of the first African-American Pathology Technicians at the former Metropolitan Hospital in Philadelphia. She met her soon-to-be husband Herman Matthews, Jr. known to friends as Pete, that same year. Pete and Margaret married in the spring of 1970, at which point Margaret left her job at the hospital to raise their family.

Pete and Margaret were blessed with four children: Peter, Mark, Allan, and Heather. Of course, the challenges of raising four young children didn’t keep Margaret from staying involved in the community. She was a Boy Scouts Den Mother, community organizer, volunteer school advisor, and more. She loved animals, most of all her dogs Bo and Squirt, and would often volunteer at the Camden County Animal Shelter. Margaret also had a renowned eye for fashion. Pete’s reputation as one of the sharpest-dressed men in Philadelphia stems from Margaret’s influence.

While Pete may hold the title of President, Margaret’s input played a vital role in shaping the contracts AFSCME District Council 33 reached with the City of Philadelphia. Her importance was recognized when she was selected from PA AFL-CIO Women’s Committee as a delegate to the 2000 Democratic National Convention.

Margaret leaves behind a legacy that will live on in the countless lives she touched. Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring the life and memory of Margaret Bradford-Matthews.

IN CELEBRATION OF THE INWOOD CANOE CLUB TO THE UPPER MANHATTAN COMMUNITY ON ITS 110TH ANNIVERSARY

HON. ADRIANO ESPAILLAT
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ESPAILLAT. Mr. Speaker, I include in the Record the following Proclamation:

Whereas, the Inwood Canoe Club has been a part of the Upper Manhattan Community since its founding in 1913; ushering the introduction and growth of this sport and recreation with this generation as well as the generation of our parents and that of our grandparents before;

Whereas, the Inwood Canoe Club continues to eagerly welcome with open arms persons of all ages from different parts of New York City, and around the world for over a century;

Whereas, the Inwood Canoe Club has given New Yorkers a chance to discover new activities that enable us to enjoy the natural beauty that is such a tremendous point of pride that we share and are fortunate to celebrate with the Inwood Canoe Club;

Whereas, the Inwood Canoe Club places a priority on community engagement and instills a lifelong passion for outdoor recreation through programs highlighting water sports to educate the youth about the ecology of the Hudson river and the importance of the environment;

Whereas, the Inwood Canoe Club strengthens community and generational ties, contributing to our greater sense of pride in our community;

Now, therefore I, ADRIANO ESPAILLAT, Representative of the Thirteenth Congressional District of New York in the United States House of Representatives, do hereby recognize Inwood Canoe Club on its 110th anniversary for its contribution to the Northern Manhattan Community and New York City.

AMERICANS WHO DIED FROM GUN VIOLENCE

HON. ROBIN L. KELLY
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. KELLY of Illinois. Mr. Speaker, I rise today because Americans continue to die from gun violence while this White House and this Congressional majority does nothing to stop it.

Instead of working to pass commonsense, lifesaving legislation that keeps guns out of the hands of people who should never have them, Republican Congressional leadership is already eyeing the door to campaign before the November election.

We are already hearing rumors that the next two weeks could be cancelled. Instead of running off to campaign, we should remain in Washington to debate any number of bipartisan commonsense gun safety proposals that will save American lives.

Sadly, this Republican majority is too beholden to the NRA and gun lobby to do the right thing.

Speaker RYAN and Congressional Republicans will head out to hit the campaign trail while Americans will continue to die because of their criminal inaction.

These are the names of 156 Americans that this Republican majority has failed by their inaction on gun violence:

FLORIDA’S 17TH CONGRESSIONAL DISTRICT
1. Highlands County Sheriff's Deputy William Gentry Jr.
2. Hisno Estriplet
3. Trent Bartol-Thomas, 19
4. Anthony Mathison
5. Rhiannon W. Layendecker
6. Samuel Jones, 22
7. Eric Young, 18
8. Matthew Eugene Collins
9. Joshua Jordan, 23
10. Guy Jr. Alabre, 16
11. Steven Gonzalez
12. Kehsawn Souvenir
13. Ivan Garcia
14. Maria “Angeles” Delosangeles Evaristo

BAUTISTA
CONGRESSIONAL RECORD — Extensions of Remarks
September 28, 2018

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to celebrate the Mountain Lakes Junior Fire Department located in the Borough of Mountain Lakes, New Jersey, on the occasion of its 50th anniversary.

The Mountain Lakes Junior Fire Department (MLJFD) was first established in 1941 to supplement manpower during World War II. It was disbanded in 1945 and reestablished in 1968 and has been a strong force in the community ever since. The department is made up of high school students ranging from 16–18 years in age. Currently there are 22 members serving in the junior department, with an active waiting list.

The juniors receive much of the same training as the senior members. The juniors drill two to three Sundays a month and they also attend monthly senior drills and meetings. The junior department currently has four officers: chief, deputy chief, and two captains. The officers are appointed by the senior advisors for a one year term. The junior officers are responsible for the supervision of the other junior members at drills, fires and other emergencies.

The department presents an annual service award to three graduating seniors who have served in the junior fire department. The award is named in memory of two long time Mountain Lakes Volunteer Fire Department members, James Bott Sr. and his son, Robert. The criterion for the award is based on attendance at drills, fire calls and other department activities. The awards are presented annually at the Mountain Lakes High School moving up day ceremony.

The department also voted to name a special award in memory of Firefighter Thomas Taylor. Tom was a long time resident of Mountain Lakes and served in the department for 53 years. The recipient of the award will be a member of the junior department and selected by the junior board of officers.

On March 25, 2003, a ceremony was held for the Mountain Lakes Junior Fire Department for placing first in the 2002 Junior Emergency Service Excellence Award sponsored by Volunteer Fire Insurance Service. Hundreds of applications were received from junior fire departments and junior ambulance squads from across the country. The juniors received a $1,000 check, a plaque and were listed as the recipient of the award in national fire publications.

The Mountain Lakes Junior Fire Department serves as a model for other departments. The department has been integral in establishing other junior fire departments in Morris, Passaic, Essex, and Sussex counties.

Mr. Speaker, I ask that you and our colleagues join me in congratulating the Mountain Lakes Junior Fire Department, on the occasion of its 50th Anniversary.
Tragically, among teenagers and young adults, the suicide rate is particularly alarming, with suicide the second-leading cause of death for people between the ages of 10 and 24.

For people experiencing suicidal thoughts or emotional distress, the National Suicide Prevention Lifeline and Crisis Text Line provide free and confidential round-the-clock support. Many colleges and universities also offer mental health resources on campus.

To raise awareness of these available resources, my legislation simply requires colleges and universities to provide the contact information for the National Suicide Prevention Lifeline; Crisis Text Line; and a campus mental health center, if applicable, on student identification cards. For colleges and universities that do not provide identification cards to their students, schools must ensure that the information is available on their website.

Suicide is a major public health problem. Providing information on existing suicide prevention resources can help students experiencing suicidal thoughts or emotional distress and potentially save lives.

IN RECOGNITION OF DR. RANDALL L. O’DONNELL

HON. EMANUEL CLEAVER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 2018

Mr. CLEAVER, Mr. Speaker, I rise today to commemorate Dr. Randall L. O’Donnell as a champion of pediatric health and wellness in the greater Kansas City community for his work in improving the quality of care for children both in the Kansas City region and beyond. In 1897, his two sisters, Dr. Alice Berry Graham and Dr. Katharine Berry Richardson, began treating children at no cost to families and without public assistance or donations. What began with the treatment of one little girl soon grew to a dozen children and then to hundreds more. Over 120 years later, Children’s Mercy Hospital is a pillar in Missouri’s Fifth Congressional District in honoring Dr. Randall O’Donnell for twenty-five years of remarkable service as a leader of pediatric medical care. I encourage my fellow citizens across the country and my colleagues in this chamber to join me in showing appreciation to the service Dr. O’Donnell has given our children.

HON. JOYCE BEATTY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 2018

Mrs. BEATTY. Mr. Speaker, Americans want a government “For The People.” They want Congress and a president that listens, speaks, and works for them. My Democratic colleagues and I are focused on precisely that here in Washington and back home.

To list just a few highlights from the past few weeks for me:

- Fighting to keep Central Ohio families together, including members of our vibrant Mauritanian, Somali, Latin American, and Central American communities;
- Families like those of Edith Espinal, who has been forced to take sanctuary, in Columbus Menominee Church or face deportation. In the nearly 365 days that have passed since Edith took refuge, my staff and I have been working diligently to try to help reunite Edith and her family.
- We have met Edith’s family, her advocates, legal representation and will do so again in the coming days, as well as with other stakeholders. I have spoken directly with Edith. My District staff just last month met with another group of Edith’s advocates, and we contacted UScis and ICE officials requesting assistance.
- Our efforts continue to keep her from being deported.
- Her story and the countless like it are a direct result of our broken immigration system that no wall will ever fix.

In addition to standing up for Central Ohio families, I also hosted a Community Conversation with hundreds of my constituents at St. Stephens Community House—in conjunction with their 100th year of service.

Held a Healthcare Listening Session and Roundtable with hospital executives and local stakeholders on the future of healthcare, as well as my Mental Health Disparities Issues Forum during the 48th Congressional Black Caucus Foundation’s Annual Legislative Conference.

Walked in the National African-American Male Wellness Walk in Columbus, packed care packages with the USO for military families, and spoke at the Welcome Ohio event to recognize our newest neighbors.

Toured several Central Ohio businesses, including the new gaming facility, a Lockborne facility, Core Molding Technologies, the Ohio Media School, Heidelberg Distributing, and Home Depot, to name a few.

Visited first time homeowner, 75 years young Mrs. Joyce Mayne and the amazing people at Homeport, who helped Mrs. Mayne and many other Central Ohioans realize the American Dream of homeownership.

Met with the AFL–CIO, Moms2B, the Ohio Credit Union League, YWCA Columbus, Ohio Dominican University President Robert Gervasi, the Ohio Automotive Dealers Association, and countless other constituents and community leaders.

But last not least, I continue to emphasize the importance of civility and the need to tone down the heated rhetoric, to treat each other with respect and dignity, and to be able to disagree without being disagreeable.

It certainly has been a hectic month and a half, but I look forward to continuing to listen, to speak, and work “For The People” who entrusted me to be their voice in Congress.

Central Ohioans and Americans are clamoring for better jobs, better wages, better opportunities, and a better future.

That is why Congressional Democrats are working tirelessly—whether that be in the Halls of Congress and in neighborhoods all across America, like the East Side of Columbus to Franklinton, and Westerville to Groveport—to increase take home pay; prepare American workers for the jobs of tomorrow; lower prescription drug prices and healthcare costs; clean up the Culture of Corruption, and make Washington work better for ALL Americans.

These coming weeks are critical, and I urge all Americans to make sure to vote.

I also must chide Republican Leadership for leaving much work left undone in this Congress that impacts hardworking families, including equal pay for equal work, comprehensives immigration reform, the FARM Bill, flood insurance reauthorization, and fully draining the swamp by getting dark money out of politics.

Our work certainly will continue through the November elections and into the 116th Congress.

WHY WE SHOULD ALL GET ALONG

HON. JOHN J. DUNCAN, JR.
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Friday, September 28, 2018

Mr. DUNCAN of Tennessee. Mr. Speaker, at the height of the Bill Clinton-Monica...
Men and women, I include in the record the sons and now five granddaughters and four great-granddaughters. I believe that most women are good and kind people who have no desire to force themselves on anyone.

I really believe that the great majority—the overwhelming majority—of men are good and kind people who have no desire to force themselves on anyone.

I believe that most women are good and kind people who do not want to be in an adversarial relationship with most men.

Men and women are different, and that does not imply that women should be held back in some way. My wife and I have two daughters and two sons and now five granddaughters and four great-granddaughters. My biggest desire is for all of them to be wonderful at whatever they want to do. But we all need to get along. We certainly don't need to be enemies.

In thinking about this relationship between men and women, I include in the record the following article by Suzanne Fields. It was published in the September 27th edition of the Washington Times. The article is titled "The Disappearing 'Man's Man Blues' by Suzanne Fields.

My father was not very tall. But no man ever stood taller in my eyes than this particular Big Daddy. He was warm and playful, a man of character and the model for the men I would admire as I grew up. Daddy wasn't formally educated, having dropped out of school in the sixth grade after his mother and father, Jewish immigrants from Pinsk, told him he had to wear his older sister's shoes because they didn't have the money to buy him a pair of his own. He took a certain pride later in having graduated from the "school of hard knocks.

He was a man of his times, describing himself as a "man's man." He became a sportsman of his era, hanging out with the sports writers and the considerable number of newspapers in the Washington of those days. He promoted a world heavyweight championship at Griffith Stadium in 1942 between Joe Louis and Max Schmeling. According to contemporary feminist thinking, he was a male chauvinist who believed that men should earn the bread and women should bake it.

I wrote a book years ago about a father's influence on his daughter, titled "Like Father, Like Daughter." He was the person of integrity I wanted to imitate as an adult, even if I didn't agree with all of his ideas. I further saw my parents in a loving marriage, reinforcing the idea that has lasted for many thousands of years, that men and women are different and that the difference, at its best, is what gives spice to life. The French famously celebrate it as "Vive la difference." But now it's not fashionable to think of that difference as a problem but a negative regard the male as an aggressor, and in the worst way. My father would be described as "bad" because he was not only a man, but a white man of privilege.

I've been thinking about my father a lot, with the newspapers and television screens awash in breaking stories about the evil that men do. Accusations from universities and now from high schools, some true and some not, of all manner of sexual improprieties. But now the idea of accusers against specific "bad" men that it's become fashionable, if not mandatory, to think of all men as evil.

The presumption of decency for men like my father and those of his times are lost in a chaos among anguished women who have resisted feminine pacification. Women from many different places in life, different experiences, are eager to show contempt for men as if they are guilty simply for having been born male. An unproven accusation of sexual aggression is considered "credible" merely for having been made, and men are told to stand up and shut up. Sen. Mazie Hirono of Hawaii told me exactly that, that "they have to shut up." (We still don't know what her male constituents think about that.)

The editor of a gender studies journal asks in an op-ed in The Washington Post, "in this land of legislatively legitimated toxic masculinity, is it really so illogical to hate men?" After cataloguing global realities where women are treated badly, from low pay to gun violence, Suzanna Danuta Walters, a professor at Northeastern University, says American men can only be #WithUs if they follow a rigorous prescription for passivity. Men must not run for office, decline opportunities to be in charge of anything, step away from power, and vote feminist. If they don't, "we have every right to hate you."

Her stunted attitude obviously doesn't reflect the attitudes of all women—there's still a lot of fraternizing with the enemy in the war between the sexes—but reflects the thinking of a large swatch of vocal feminism. The turnaround of cultural assumptions is poisoning the relationships of a generation of men and women. Fox News interviewer Brett Kavanaugh made a poignant note when she asked Brett Kavanaugh's wife, Ashley, how their daughters were dealing with the newspapers and television screens awash in breaking stories about the evil that men do. "It's very difficult," she replied. "But they know Brett..."

Many women know their fathers, their brothers, their husbands, lovers and friends, who live beyond the malicious male stereotypes, but find it ever more intimidating to speak out in defense of men unjustly accused. Men are presumed guilty when accused by a woman. Even asking for due process and fair play for men is asking for trouble.

I closed my book a generation ago with Loretta Lynn's country hymn to the fate of our fathers: "They don't make 'em like my daddy anymore." But her message has been drowned by Helen Reddy's "I am woman, hear me roar." When anger trumpes love and hatred trumps reason, we all, female no less than male, pay for it.

Suzanne Fields is a columnist for The Washington Times and is nationally syndicated.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 302 the FAA Reauthorization Act of 2018. This is a good piece of legislation that will improve transportation and move our country's aeronautics and space industries forward.

I am particularly thrilled that the conference includes a provision in this bill to create the Office of Spaceports inside the FAA's Office of Commercial Space Transportation. Camden County, in my home state of Georgia, is currently working with the FAA to obtain a launch site operator's license to become the first purely commercial spaceport on the East Coast. I have no doubt this new Office of Spaceports will help the Camden County Board of County Commissioners navigate the complex process of obtaining FAA approval.

As this conference report clearly states, making more commercial spaceports available for use by the burgeoning commercial launch industry is an important policy objective. Commercial spaceports, like the future Spaceport Camden in Georgia, play an important role in encouraging space innovation and STEM careers. Commercial spaceports attract significant capital investment in rural areas and provide good, high paying jobs to these communities. And most importantly, commercial spaceports are the cornerstone of National Space Council's mission to ensure American leadership in space.

Mr. Speaker, encourage my colleagues to support this conference report and I encourage the Federal Aviation Administration to act swiftly to increase America's launch capacity and approve new launch sites like Spaceport Camden.

Mr. BRAT. Mr. Speaker, I rise today on behalf of Congress and the people of Virginia's 7th Congressional District, to recognize Double Ten Day. Double Ten Day, which takes place each year on October 10th, is celebrated by Taiwan and Taiwanese Americans as the national day of the Republic of China (ROC).

Double Ten Day led to the collapse of the Qing Dynasty and the establishment of the Republic of China in 1912. In recognition of this historic event, the United States should build on the efforts of the Taiwan Travel Act and strengthen diplomatic relations with Taiwan.

Taiwan is a strong ally of the United States. In 2016, the island of 23 million people was our 11th largest trading partner. They are rated highly on the Heritage Foundation's 2018 Index of Economic Freedom. They share our values of freedom of speech, freedom of
Taiwan have enjoyed a fruitful partnership for decades, and I would like to wish the people of Taiwan a very Happy National Day.

I would like to thank the government and the people of Taiwan for their friendship, and I wish them a very Happy Double Ten Day.

CONGRATULATING THE YWCA FOR 160 YEARS OF DEDICATED SERVICE

HON. RYAN A. COSTELLO
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to offer my heartfelt congratulations to the YWCA for 160 years of dedicated service and steadfast advocacy on behalf of women, girls, and their families in communities throughout the country.

Throughout its distinguished history, YWCA has been a catalyst for expanding economic and educational opportunities, promoting civil rights and social justice, and preventing violence against women and girls. Each year YWCA faithfully serves over 2 million women, girls and their families through 210 local associations throughout 46 states and the District of Columbia.

One of those local associations has been serving communities in Pennsylvania’s Sixth District for 110 years. YWCA Tri-County Area in Pottstown is a tremendous community asset, providing childcare, after-school education and career counseling, health and wellness programs, and a variety of community events such as the Color Run to Eliminate Racism.

Therefore, Mr. Speaker, I ask my colleagues to join me in recognizing the significant contributions of YWCA in empowering women, aiding families, advancing equality and strengthening communities as well as extending sincere congratulations as YWCA commemorates this most memorable milestone.

RECOGNIZING THE 107TH NATIONAL DAY OF TAIWAN

HON. EARL L. “ BUDDY” CARTER
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. CARTER of Georgia. Mr. Speaker, I rise today in recognition of the 107th national day of Taiwan. The United States and Taiwan have enjoyed a fruitful partnership for decades, and I would like to wish the people of Taiwan a very Happy National Day.

Taiwan has been a strong partner of the United States. Over the last decade, Taiwan has shown that true democracy can be successful even in the face of challenging circumstances. Taiwan embodies strong economic growth and a respect for its people.

Our partnership has flourished thanks to a mutual commitment to democratic values and constitutional government. Through its commitment to a peaceful election process, Taiwan serves as a strong example of democracy for not only the Indo-Pacific region, but also the world. We have also made great progress in trade and economic policies. In 2017, Taiwan was ranked as the 11th largest trading partner of the United States, the 11th largest U.S. export market overall and the 7th largest market for U.S. agricultural products.

Last year, trade missions culminated in the signing of letters of intent to purchase approximately $2.8 billion in U.S.-produced grains between 2018 and 2019. In September, another trade mission from Taiwan visited the United States to purchase even more agricultural goods. In fact, Taiwan is Georgia’s 6th largest export market in Asia, with over $420 million in trade. With such a long history, we look forward to continuing our relationship.

It is my privilege to congratulate the celebrants of the “Double Tenth Day.” I am proud of our cooperation and wish Taiwan the best on this notable day.

HONORING THE REDWOODS LEAGUE

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. HUFFMAN. Mr. Speaker, I rise today with my colleagues MIKE THOMPSON, JACKIE SPEIER, SALUD CARBAJAL, ANNA ESHOO, JIMMY PANETTA, BARBARA LEE, RO KHANNA, and ZOE LOFGREN, in recognition of the Save the Redwoods League’s centennial anniversary. Fulfilling its ongoing mission to protect and restore California redwoods and connect people to the peace and beauty of redwood forests, the League’s work epitomizes these iconic symbols of our great state can be treasured for generations to come.

Founded in March of 1918, the Save the Redwoods League was started by a small group of conservationists disturbed by the accelerating rate of destruction of the primeval redwood forests in northern California that held the tallest trees on earth. In response, the League committed to protecting the coast redwood and giant sequoia forests by purchasing multiple ancient groves and establishing a state or national park to protect them. Following its incorporation as a nonprofit organization in 1920, the League established a memorial redwood grove on the South Fork Eel River in 1921, the first of more than 1,000 memorial groves in California.

In addition to raising millions of dollars to establish redwood preserves, the Save the Redwoods League was a leader in the grassroots movement to create a California state parks system, lobbying for legislation and campaigning for funding of the acquisition of park lands. Fifty years after the League’s inception, Redwood National Park was created in 1968, in part due to the tireless advocacy of the League and its partners to protect some of the last remaining stands of uncut redwoods.

Over the last century, the Save the Redwoods League has protected more than 200,000 acres of redwood forests and helped create 66 redwood parks and reserves that inspire millions of annual visitors from around the world. Today, the League is a respected voice in science-based research and a pioneer of innovative forest-restoration work that is accelerating the transformation of young, harvested stands into the old-growth forests of the future. Through its Redwoods and Climate Change Initiative, the League’s research established that old-growth redwoods store more carbon per acre than any other ecosystem in the world and play a critical role in the fight against climate change.

Save the Redwoods League, now celebrating its hundredth anniversary, has played a critical role in protecting the majestic redwood forests of California that fill us with wonder and provide a living link to the past. Throughout its next century, the League will build upon this legacy by advancing its efforts to protect the remaining old-growth redwood forests, restore younger forests to a healthier state, and connect more people to the beauty and uniqueness of California’s redwoods.

Mr. Speaker, after a century of achievement and operational stability, the continuing success of the Save the Redwoods League has preserved a part of California’s heritage and touched the lives of millions around the world. It is therefore a cause I support that we stand together in recognition of this momentous occasion.

AMERICANS BLAME MEDIA BIAS

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. SMITH of Texas. Mr. Speaker, several Rasmussen Reports recently polled Americans on perceptions of bias in the media on specific subjects. Their surveys found the following:

The majority (52 percent) of U.S. Voters believe reporters are trying to block the president from passing his agenda, up from 44 percent a year ago.

Voters also say politics, not issues, are driving the Kavanaugh opposition. Forty-five percent, a plurality, think the opposition to Kavanaugh is “mostly due to partisan politics.” Half of voters (47 percent) say reporters aim to defeat the Kavanaugh confirmation. . . . Just eight percent think most reporters are trying to help Kavanaugh win the Senate confirmation. . . .

The polls’ figures speak for themselves. The American people feel strongly that the media is biased. And that is not good for our country.

IN MEMORY AND CELEBRATION OF MS. JOHNNIE MAE JOHNSON

HON. ADRIANO ESPAILLAT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize Ms. Johnnie Mae Johnson. Ms. Johnson was the District Leader of the 70th Assembly District in New York City. But
this office is only one small part of her tremen-
dous legacy.
Ms. Johnson became a PTA president at PS 133—a
diverse elementary school in Harlem.
Ms. Johnson was a founding member of the
Addie Mae Collins Head Start Program. This
program has expanded education services for
many students in the area and remains an in-
valuable resource.
Ms. Johnson was a vigorous advocate for
social justice and demonstrated an unceasing
devotion to fair and equitable living conditions.
As an enduring testament to her spirit and
commitment, our NYC community came to-
together one year ago and renamed East 130th
Street and Lexington Avenue in her name.
Johnnie Mae Johnson brought persuasive
leadership and unshakable determination to
Harlem when it needed it most. And for that,
I reason I rise today to recognize Ms. John-
son.

CONGRATULATIONS TO TERESA
HAAS
HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. WILSON of South Carolina. Mr. Speak-
er, I am grateful to congratulate Teresa Haas on
her retirement as Director of Government and
Community Relations at Savannah River
Nuclear Solutions.
Ms. Haas’ career at SRS has spanned close
to 28 years. Prior to SRS; she managed politi-
cal campaigns and worked on Capitol Hill as chief
of staff and legislative director for mem-
ers of the U.S. Congress. Her service with U.S. Congressman Tommy Hartnett of
Charleston will always be appreciated.
Ms. Haas is Chair of the Aiken County
Commission on Higher Education; Past Chair
of the Greater Aiken Chamber of Commerce
Board of Directors (first woman chair); is a
past member of the Aiken County United Way
Campaign Cabinet; and former board member of
the Aiken Center for the Arts. She is a
member of Aiken’s First Baptist Church and a
graduate of Clemson University, where she
serves on the Clemson Board of Visitors. Te-
resa and her husband Dale reside in Aiken.
Godspeed for a productive and meaningful re-
tirement.

IN HONOR OF THE RETIREMENT
OF CHIEF THOMAS LEWIS
“TOMMY” THOMPSON, JR.
HON. MIKE ROGERS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. ROGERS of Alabama. Mr. Speaker, I
rise to recognize Chief Thomas Lewis
“Tomm” Thompson, Jr. on his retirement from
public service with the Jacksonville Po-
lice Department.
Tommy began his career as a law enforce-
ment officer with the Jacksonville Police De-
partment under the command of Chief J. Ross
Tipton in October 1971. In July of 1974, he
earned his first promotion to Sergeant later ris-
ing to rank of Lieutenant in April of 1977.

In June of 1988, Tommy was appointed as
Chief of Police at Jacksonville Police Depart-
ment and has served in that role ever since.
Tommy is married to Diane and has two
sons: Thomas L. Thompson, III and David R.
Thompson. He has also been blessed with two
grandchildren: Dylan Thompson and Baylee Thompson.
Mr. Speaker, please join me in recognizing
Chief Thompson and thanking him for his
steadfast service to the City of Jacksonville.

TRIBUTE TO WILLIAM (BILL) HILL,
PIONEER RADIO DISC JOCKEY
AND BLUES PROMOTER
HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. DANNY K. DAVIS of Illinois. Mr. Speak-
er, I rise to recognize one of the last great
radio performers and to celebrate the release of
Big Bill Hill’s Shopping Bag Show on WOPA
Radio. Being a native Arkansan, anything or
anybody connected to Arkansas gets my at-
tention and perks me up. Such has been the
case with Big Bill Hill, born in England, Ar-
kanzas.
True to form, Big Bill Hill was a big man,
250 lbs, and over 6 feet tall. He was born in
England, Arkansas in 1914 and rolled into Chi-
cago in 1932 looking for work. He found work
at a steel mill, but he wanted to be on the
radio. Nobody would hire him so he saved his
money and bought air time on brokered sta-
tions. He started on WLDD—AM in Elmwood,
and later WCRW—AM. He had his shick down
by the time he started his program “Shopping
Bag Show” in 1995 on WOPA–AM in Oak
Park.
WOPA–AM signed on in 1950. It’s call let-
ers the Oak Park Arms, a hotel on Oak Park
Avenue, where their studio was originally in-
stalled. Their 250 watt signal was strongest on
the west side of Chicago, and William Klein’s
Village Broadcasting Company wisely targeted
those black demographics so the schedule
was full of blues, jazz, R&B, and gospel. Most
of their day was brokered time so it was also
peppered with ethnic programming of every
stripe. But 1490 was short spaced between
WXRT—AM and W MOR—AM, so it was never
going to have much juice. The solution in 1953
was 102.3 WOPA—AM. WMOR had
gone bankrupt and they bought the license at
3,600 watts. This signal had sold Chicago
coverage. Though FM listenership was low in
the 50s, it grew steadily. Initially, the stations just simulcast all programming. But in 1966, the
FCC mandated that FM simulcasts carry
50 percent originating programming. The bro-
kered ethnic moved to the FM side, but Big
Bill Hill remained simulcast in the evening,
even after the station bumped the wattage up
to 6,000 watts.
His career changed forever in 1963. He al-
ready owned a booking agency, a dry cleaner,
a management company and he owned his
own club, the Copa Cabana. Supposedly, he
did remotes from all locations, even the dry
cleaners. In 1967, it looked like it was all going
to fall apart as WOPA–AM was getting as a free
form FM station full of underground music and
hippies. His already floundering club, the Copa
Cabana, closed. However, Bill defied all odds
and started a R&B TV dance show on WCUI–
TV. The “Red Hot and Blues” show ran until
1971. It was overtaken by another R&B dance
program . . . Soul Train.

MALNUTRITION AWARENESS WEEK
HON. SUZANNE BONAMICI
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Ms. BONAMICI. Mr. Speaker, this week is
Malnutrition Awareness Week, a week when
advocates, healthcare professionals, and com-
munities around the country will focus on the
issue of malnutrition and hunger. As the co-
founder of the Elder Justice Caucus, and as a
caregiver, I know how important proper nutri-
tion is for aging Americans to stay healthy.
Malnutrition can lead to greater risk of chronic
disease, frailty, and increases in healthcare
costs. Unfortunately, malnutrition often goes
undiagnosed in seniors, and as a result, health-
care providers and family members do not know
how to identify and treat it. We can, and must,
do more to protect vulnerable populations who
suffer from malnutrition, and I am committed
to working with my colleagues on both sides
of the aisle to support efforts to reduce hunger
and malnutrition. I also encourage the federal
agencies tasked with combating hunger to do
all they can to reduce malnutrition. I urge the
Department of Health and Human Services to
include malnutrition screening measures in
their national health surveys of older adults,
and to include malnutrition among the national
key health indicators for older adults. Addition-
ally, I am calling on the Departments of Health
and Human Services and Agriculture to work
together to include dietary guidance for the
prevention and treatment of older adult mal-
nutrition in the 2020 Dietary Guidelines for
Americans.
I applaud the work of the advocates at De-
feat Malnutrition Today, a coalition of eighty
organizations and stakeholders who are com-
mitted to ending malnutrition through rigorous
screening and intervention initiatives, and the
Academy of Nutrition and Dietetics, an organi-
zation of food and nutrition professionals who
are spearheading efforts to reduce hunger
worldwide. Together, we can reduce malnutri-
tion and strengthen outcomes for our senior
population.

CELEBRATING THE 50TH ANNIVER-
SARY OF THE GLASSELL PARK
IMPROVEMENT ASSOCIATION
HON. JIMMY GOMEZ
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. GOMEZ. Mr. Speaker, I rise today to recog-
nize and congratulate the Glassell Park
Improvement Association (“GPIA”) on their 50
years of continued leadership in and dedica-
tion to making Glassell Park the vibrant and
prosperous community it is today.
Founded in 1968, the GPIA was established
to promote community values and improve the
quality of life for residents of Glassell Park, a
neighborhood located north of Dodger Sta-
dium in Northeast Los Angeles. Today, GPIA
is one of the oldest neighborhood improvement associations in the City of Los Angeles.

The GPIA is committed to safeguarding and enhancing the quality of life for those who live, work, and play in Glassell Park. Members of the GPIA serve their community by contributing their time and energy into planting trees, hosting community clean-ups, and beautifying projects year-round. One of the GPIA’s most noteworthy projects is the planting of a small pine. Since 1968, this pine has become a centerpiece of the community.

To that end, I ask all Members to join with me in commending the Glassell Park Improvement Association for their unwavering commitment to improving this wonderful community over the past 50 years.

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**Recognizing the Valley Chiefs Mini-Football League’s 50th Anniversary**

**Hon. Lou Barletta**

*of Pennsylvania*

**In the House of Representatives**

**Friday, September 28, 2018**

Mr. BARLETTA. Mr. Speaker, I would like to recognize the Valley Chiefs Mini-Football League as the organization celebrates its 50th Anniversary.

The Valley Chiefs Mini-Football League is an integral part of the Sugarloaf Valley community. Throughout the years, thousands of lives have been changed through participation in this program. With the goal of teaching children the value of sportsmanship, hard work, and dedication, this organization has impacted the lives of participants, parents, and volunteers alike.

As a father and former athlete, I know how influential youth sports are in childhood development and in shaping the future minds of our country. Today, as we recognize the founders, alumni, and current participants of the Valley Chiefs Mini-Football League, I am honored to represent such an organization in Congress. I know this program will continue to grow and be successful for many years to come.

Mr. Speaker, please join me in recognizing the Valley Chiefs Mini-Football League and congratulate this organization on an incredible 50 years of service to the community.

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**Celebrating the Bethel Church of Morristown’s 175th Anniversary**

**Hon. Rodney P. Frelinghuysen**

*of New Jersey*

**In the House of Representatives**

**Friday, September 28, 2018**

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to celebrate the Bethel Church of Morristown, located in the Town of Morristown, New Jersey, on the occasion of its 175th Anniversary.

In 1841, several families left the Presbyterian Church of Morristown to form the Bethel Mite Society, which was later incorporated as Bethel African Methodist Episcopal Church in 1843. Bethel's first Pastor was Bishop Willis Nazery, who was born a slave in 1803 in Isle of Wight County in Virginia. For eight years the congregation met in each other’s homes until funds were raised to construct the Carpenter Gothic church on Spring Street in 1849. Bethel’s first building was dedicated with Bishop Paul Quinn officiating, assisted by Pastor Thomas Oliver.

Bethel served as the only school for Colored and Native American children in Morris County and needed to expand its facilities. In 1874, a new lot on Spring Street was purchased from John R. and Cornelia Piper for the sum of $2,000. A new church was constructed at an estimated cost of $3,000. Gifts from Mrs. Mary Anne Cobb of pews, doors and windows from the old Methodist Church, on the Morristown Green, helped in this great work. The existing house on the lot was moved next door and used as a parsonage. The church remained in that building for nearly 100 years.

Under the leadership of Pastor A. Lewis Williams, a ground breaking ceremony was held for a new church on August 12, 1967. The congregation worshipped in the Lafayette School auditorium for two and one half years until the construction of the church was completed. After numerous setbacks and financial difficulties, the present church was completed and dedicated November 8, 1970. Rev. A. Lewis Williams subsequently served as the Editor of the Christian Recorder from 1973 to 1976.

In 2010, Pastor Sidney Williams became the 51st pastor in the church’s history. Prior to that, he served as a missionary with his family in Cape Town, South Africa. The church was not having the impact on the community that its membership desired. To increase the impact on the community, Pastor Sidney Williams, with his wife Teresa, and the leadership team of Bethel discerned a new vision for community outreach, spiritual growth and evangelism. The church became more “community oriented” to serve both believers and unbelievers. Bethel Church was also working to transition from a small family church to a growing church with decentralized ministries, focusing on newcomers, small groups, and discipleship. The goal was to give people biblically rooted truth that can change their lives. The Mission.

In 2014, Bethel Church introduced a set of core values: prayer, love, and respect. These ideals serve to inspire Bethel Members to make its congregation the most loving and spirit filled congregation in the world. Mr. Speaker, I ask that you and our colleagues join me in congratulating the Bethel Church of Morristown, on the occasion of its 175th Anniversary.

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**Honoring Pastor Boyd and the Zion Unity Baptist Church**

**Hon. Todd Rokita**

*of Indiana*

**In the House of Representatives**

**Friday, September 28, 2018**

Mr. ROKITA. Mr. Speaker, I rise today to honor a dear friend and Pastor for his work with the Zion Unity Baptist Church in Indianapolis. Zion was started in 1972 upon the merger of two churches in Indianapolis, Indiana. The first pastor was Reverend Roy W. Beverly, Sr., with the intent of unifying efforts to reach the community for Christ. The church continued its services through the Mission and prison, expanded its outreach to support over 20 missionaries throughout the world, and began evangelistic efforts in the local community.

In 2005, Zion Unity began a ministry to expose the fallacies connected to the Darwinian theory of evolution which undermines God’s creation and the Holy Bible. Conferences which permitted scientists and ministers to examine this subject were organized and made available free to the public, as “Creation Expo”. These conferences have been conducted annually in Indianapolis, in many cities throughout Indiana, ten other states, and in six countries. This work continues to be accomplished with a small congregation, other committed volunteers, and with limited resources.

Zion Unity Baptist Church achieved another milestone when on July 29, 2018, the mortgage for its current location was burned in a celebration attended by many friends from a variety of backgrounds: business, social agencies, Christian media, education, and government, as well as churches and ministerial service organizations.

The first and final word from Pastor Fredrick Boyd, Jr. and the members of Zion Unity Baptist Church, in full belief in the power of the Gospel of Jesus Christ, a commitment to His Word and the promises therein, is: “The best is yet to come!”

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**Recognizing the 150th Anniversary of Bethel Gilead Community Church**

**Hon. Tim Walberg**

*of Michigan*

**In the House of Representatives**

**Friday, September 28, 2018**

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 150th anniversary of Bethel Gilead Community Church in Bronson, Michigan. After the end of the Civil War, Jacob Patch was commissioned to organize a church in Bronson County, and in 1868, the Congregational Church of Gilead and Bethel began meeting in homes and schools.

In 1874, Luman Rose was commissioned as the first full-time minister, and in 1882, the church’s first building was completed.

Over the years, many faithful pastors have served and led the church through a number of transformative events, including name changes, mergers with other congregations, a devastating fire, building expansions and improvements, and the development of local and worldwide ministries.

In 1996, Pastor Jim Erwin accepted Bethel Gilead’s invitation to serve as pastor and is still faithfully shepherding the congregation.
H.R. 6886, HEALTH EQUITY AND ACCESSION FOR RETURNING TROOPS AND SERVICEMEMBERS ACT OF 2018 (HEARTS ACT)

HON. FRANK PALLONE, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. PALLONE. Mr. Speaker, I want to state my concerns regarding H.R. 6886 and the procedures considered this bill, and the potential unintended consequences for the Medicare program.

The bill seeks to address the unfortunate circumstances under which a service member who becomes eligible for Medicare by reason of disability cannot easily return to the TRICARE program if and when the service member becomes able to work again.

I am concerned because this bill did not go through regular order, and was not marked up or considered in any committee of the House of Representatives. It represents a significant change to current law and has impacts on both our healthcare system for active and retired service members, and on the Medicare program. To pass such legislation without an open, transparent, and measured process is disservice to the institution of the House of Representatives and to the American people.

The problem with a failure to adhere to regular order is not just a philosophical one but a practical one. Legislation that has not been vetted properly often has unforeseen or unexpected consequences. We have seen that time and time again. I am concerned that this will also be the case with H.R. 6886. I am concerned about disabled service members moving in and out of the Medicare program, and whether they will be fulling informed about the implications of their decision not to enroll in Medicare when they become eligible. I am concerned about the precedent for the Medicare program of folks being able to decline Medicare coverage for other coverage, and how that may undermine the universality of the Medicare program.

I might have been able to be convinced that these concerns could be addressed if we had had a full process with a legislative hearing and a markup, but unfortunately, that is not the case. For these reasons, I must state my concerns regarding this bill and the process we undertook for considering it.

PROTECTING CRITICAL INFRASTRUCTURE AGAINST DRONES AND EMERGING THREATS ACT

SPEECH OF
HON. MICHAEL T. McCaul
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 25, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6742, the Secure Border Communications Act prepared by the Congressional Budget Office was not available to the Committee at the time of filing of the legislative report.

DEPARTMENT OF HOMELAND SECURITY LEGISLATION
As passed by the House of Representatives on September 25, 2018

On September 25, the House of Representatives passed the following three pieces of legislation:

H.R. 6620, the Protecting Critical Infrastructure Against Drones and Emerging Threats Act, which would require the Department of Homeland Security (DHS) to prepare assessments of the threats presented by unmanned aircraft systems (often called drones) and other emerging threats associated with such technology.

H.R. 6735, the Public-Private Cybersecurity Cooperation Act, which would require DHS to establish procedures for people or organizations to report vulnerabilities in the department’s information systems; and

H.R. 6740, the Border Tunnel Task Force Act, which would direct DHS to establish task forces to combat threats from cross-border tunnels; the task forces could include personnel from federal, state, local, and tribal agencies.

CBO estimates that enacting the legislation would not significantly affect spending by DHS in any fiscal year because the department could largely implement each act with existing personnel.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

None of the acts contain intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papadopoulos, Assistant Director for Budget Analysis.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 27, 2018.
Hon. Michael McCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6620, H.R. 6735, and H.R. 6740, three bills concerning the Department of Homeland Security that were ordered reported by the Committee on Homeland Security on September 13, 2018.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,
KEITH HALL
Enclosure.

IN RECOGNITION OF AN EXTRAORDINARY PUBLIC SERVANT, SERENA R. ‘RENNY’ MANUEL

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise to recognize an extraordinary public servant, Serena R. “Renny” Manuel, whose management of the Winchester Regional Airport in the northern Shenandoah Valley has established the airport as a critically important asset of the region’s dynamic economy. This region of the 10th Congressional District, that includes Frederick County, the City of Winchester and Clarke County, is growing rapidly and the Winchester Regional Airport has become a catalyst for this growth by supporting business aviation, law enforcement, agricultural and lifesaving services, air ambulance operations and organ transports, freight and package delivery, as well as recreational activities.

All of these benefits were developed, improved upon and managed by Executive Director Renny Manuel, with the able guidance of the board of directors of the Winchester Regional Airport Authority. Starting as an Office Assistant at the airport in 1991, Renny Manuel’s extraordinary conscientiousness and reliability, coupled with her humility, humor, and cooperative spirit, caused her to be given progressively greater responsibility. In 1999, the Authority officially appointed her Airport Director, in which role she served with distinction until her retirement on July 30th of this year. In addition to skillfully overseeing the day to day operations of the airport and complying with numerous federal and state regulations and orders, Mrs. Manuel’s excellence as a team leader was most apparent as she managed numerous complicated capital and airport redevelopment projects, such as the runway rehabilitation design and construction project, the general aviation terminal building renovation, the airfield lighting upgrade, airport perimeter security fencing, the T-hangar apron rehabilitation, land acquisition, relocation and rehabilitation of Taxiway “A”, the snow removal plan and equipment project, the wetland mitigation project, and oversight of construction of a second corporate hangar facility.

Airport Director Manuel’s reputation for effectiveness and reliability was recognized by her colleagues throughout the Commonwealth of Virginia when they asked her to serve as Secretary of the Virginia Airport Operators Council. And in further recognition of the high regard that those in the aviation industry have for her, she was recently presented with the prestigious Lifetime Achievement Award by the Virginia Department of Aviation.

Mr. Speaker, I take great pride in recognizing and thanking Winchester Regional Airport Director Renny Manuel for her extraordinary dedication to serving the people of the northern Shenandoah Valley and ask you and our colleagues to join me in wishing her and her husband much happiness, as they spend more time with family and have more time to travel, in their retirement years.
I am pleased that the House of Representatives, Washington, DC.

Chair, Judiciary Committee,

Hon. NANCY PELOSI,

Speaker, House of Representatives, Washington, DC.

We thank you for your consideration of FAA Reauthorization Act of 2018.

Pursuant to Assembly Concurrent Resolution Nos. 5 and 6 of the 2018-2019 second session of the 144th General Assembly, the Iowa Senate today concurred in Senate Concurrent Resolution Nos. 19 and 20 and Senate Concurrent Resolution Nos. 21 and 22, and the Iowa House concurred in House Concurrent Resolution Nos. 2 and 3 of the 2018-2019 first session of the 100th General Assembly.

This provision amends section 47107(a)(17) of title 49, United States Code, to ensure that Qualifications Based Selection (QBS) is used for any contracts and subcontracts for program management, contract management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services for projects that use Airport Improvement Program (AIP) funding in any phase. Thus, FAA would be precluded from funding any part of the project using AIP funds if the QBS process is or was not used in the selection of professional service providers for the above activities.

This provision is intended to ensure that high-quality design, engineering, and architectural services are procured through a QBS process, including when an airport sponsor uses AIP for construction activities. QBS has long been used by the federal government and federal-aid grant programs to ensure the best-qualified companies are selected for pre-construction designs and activities that will result in high-quality, cost-saving construction projects.

Mr. Speaker, I rise today to recognize and congratulate Jason Gerhardt of Glenwood, Iowa for achieving the rank of Eagle Scout. Jason is a member of Boy Scout Troop No. 243 in Glenwood and he attends Glenwood Community High School.

The Eagle Scout designation is the highest achievement rank in scouting. Approximately 5 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Jason decided to renovate the bleachers at Lil’ Rams football field as his Eagle Scout project. Jason was a former football player and he could see how the bleachers had deteriorated and were in need of repair. Jason and his parents, Janet and Jason Gerhardt, the Lil’ Rams football team, the Glenwood Rotary Club, and a local welder helped financially and with the new construction of the bleachers. It was decided that the bleachers would be replaced.

This provision intends to ensure that high-quality design, engineering, and architectural services are procured through a QBS process, including when an airport sponsor uses AIP for construction activities. QBS has long been used by the federal government and federal-aid grant programs to ensure the best-qualified companies are selected for pre-construction designs and activities that will result in high-quality, cost-saving construction projects.

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of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

RECOGNIZING DR. GARY BRANCH ON HIS RETIREMENT

HON. BRADLEY BYRNE
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. BYRNE. Mr. Speaker, I rise today in recognition of my friend, Dr. Gary Branch, on his retirement as President of Coastal Alabama Community College (CACC). Dr. Branch leaves a legacy of deep devotion to his staff and students, exceptional leadership by example, and has had an immeasurable impact on the lives of countless members of our community.

Dr. Branch inherited an institution waiting for a leader such as himself. At the start of his tenure in 1981, he had to make the difficult decision to let go thirteen employees from then-Faulkner State College in the midst of a financial crisis. In true form, Dr. Branch was able to hire nearly all of them back to the college and has never faced another such crisis since.

Moving ever upward from his start, Dr. Branch oversaw immense growth in enrollment, from 300 students at one location in 1981 to now nearly 8,000 students in ten counties. Not only has he spearheaded increased opportunity for students in south Alabama, he also instituted the annual Student Leadership Retreat, Gatlinburg Getaway; the Black Ministerial Dinner and scholarship awards; the High School Counselor’s Dinners; the Scholar Bowl; and has overseen the creation of a women’s intercollegiate softball league, leading to an impressive softball statistic benefiting our entire community.

Throughout his entire time as President, Dr. Branch has constantly pushed for greater accessibility to secondary education for all students in Alabama. To this end, he was chairman of the committee that created the Statewide Transfer Articulation and Reporting System, allowing associate-degree-holding students to transfer to four-year universities in Alabama, and fought for CACC to benefit from state sales tax in Baldwin County. Possibly most notable, he oversaw the consolidation of Faulkner State and other institutions into Coastal Alabama Community College.

From my personal experience with him during my time as Chancellor of Alabama’s Community College system, I can attest to Dr. Branch’s steadfast commitment to Southwest Alabama, our students, and our economy. His impact will undoubtedly live on for many, many years to come.

Mr. Speaker, please join me in recognizing the incredible service of Dr. Gary Branch as he leaves a legacy of 37 years to a grateful community. It is difficult to express our gratitude in mere words, but on behalf of Alabama’s First Congressional District and the United States House of Representatives, we simply say: thank you.

COST ESTIMATE ON H.R. 6374 FIT ACT

HON. MICHAEL T. McCaul
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6374, FIT Act prepared by the Congressional Budget Office was not available to the Committee at the time of filing the legislative report.

September 11, 2018.

HON. MICHAEL McCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6374, the Fitness Information Transparency Act of 2018.

If you want to see this estimate, we will be please to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

Keith Hall.

Enclosure.

H.R. 6374—Fitness Information Transparency Act of 2018

H.R. 6374 would direct the Department of Homeland Security (DHS), within 180 days of enactment, to issue regulations to establish (or conduct) standards for hiring contract employees that must be followed by all DHS agencies. Within one year of enactment, DHS would have to provide contractors with monthly updates on the status of their employees’ fitness determinations and collect quarterly data on processing times for fitness investigations.

Using information from DHS, CBO estimates that implementing those provisions would cost about $1 million in fiscal year 2019 and less than $500,000 annually thereafter; such spending would be subject to the availability of appropriated funds. Most costs would be for technological enhancements to a system to provide accurate and timely benefits to support our nation’s wounded warriors and their families.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to benefit the community. Nathan’s Eagle Scout Project was completed for the Chichaqqua Bottoms Greenbelt—Polk County Conservation. Nathan built 16 American Kestrel nesting boxes to help increase the population of this bird in central Iowa. He also donated the funds from his fundraising to Polk County Conservation. The work ethic Nathan has shown in his Eagle Project and every other project leading to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Nathan and his family in the United States Congress. I know that all my colleagues in the House of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

IN RECOGNITION OF KEN AND JULIA FALKE

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise today to honor and thank Ken and Julia Falke, founders of the Boulder Crest Retreat for Military and Veteran Wellness in Bluemont, Virginia, and the EOD (Explosive Ordnance Disposal) Warrior Foundation, for their extraordinary efforts to support our nation’s wounded warriors and their families.

Last year, a special ceremony unveiled a statue of a Naval modification to the Battle Cross on the grounds of the Boulder Crest Retreat, honoring those military heroes who lost their lives in combat, in training and in the struggle against the “invisible injuries of war that followed them home.” Ken Falke’s inspiration for the statue was the beautiful memorial erected in San Diego, to the four members of EOD Mobile Unit Three who had been killed in action in Iraq and Afghanistan.

The Boulder Crest Retreat is the nation’s first privately-funded rural wellness center dedicated exclusively to our nation’s combat veterans and their families. Opened in 2013, it has offered a beautiful setting for more than 2,500 veterans and their families to rest, reconnect and recharge. Motivated by a limitless desire to serve combat veterans, especially the 11 percent to 20 percent of Iraqi and Afghanistan veterans who suffer from post-traumatic stress (PTS), Ken and Julia have ventured into modes of therapy and support that are outside the mainstream. As a Navy bomb-disposal expert who was seriously injured in a 1968 explosion in Vietnam, Ken had learned firsthand in his recovery from traumatic brain injury and a broken back, not to rely on medicines alone. Later, through their work with the

TRIBUTE TO EAGLE SCOUT
NATHAN SCHWAB

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nathan Schwab of Clive, Iowa for achieving the rank of Eagle Scout. Nathan is a member of Boy Scout Troop No. 208 of the Midtown Iowa Council. The Eagle Scout designation is the highest advancement rank in scouting. Approximately 5 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to benefit the community. Nathan’s Eagle Scout Project was completed for the Chichaqqua Bottoms Greenbelt—Polk County Conservation. Nathan built 16 American Kestrel nesting boxes to help increase the population of this bird in central Iowa. He also donated the funds from his fundraising to Polk County Conservation. The work ethic Nathan has shown in his Eagle Project and every other project leading to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Nathan and his family in the United States Congress. I know that all my colleagues in the House of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.
EOD Warrior Foundation, Ken visited many fellow EOD veterans at Veterans Administration facilities and was dismayed at how many of them were continuing to struggle with the PTSD that their medications had not cured.

As a result, Ken and Julia began a program called Warrior PATH, or “progressive and alternative training for healing heroes.” The 18-month program that starts with a weeklong boot camp at the Boulder Crest Retreat, where days begin at 7 am with physical conditioning and end at 8:30 pm with discussion around a campfire led by other combat veterans, has allowed the 120 vets accepted for PATH to explore their past, make greater sense of their struggles, and develop a realization that their preparedness and leadership skills can be carried from the battlefield to the home front. As an indication of the program’s success, over the past three years, 95 percent of combat vets who have participated in the program continue to participate in monthly video chats that help the Falkes keep track of their emotional health and keep them setting and accomplishing goals.

Mr. Speaker, it is truly a privilege to ask you and our colleagues to join me in thanking two great patriots, Ken and Julia Falk, for the extraordinary difference they are making in the lives of our nation’s combat veterans, ensuring that they have the opportunity to succeed in their new mission—a life of passion, purpose and service, here at home.

RECOGNIZING PRIVATE FIRST CLASS JOSEPH PALAZZOLO

HON. PAUL MITCHELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. MITCHELL. Mr. Speaker, I rise today to recognize Vietnam veteran, Private First Class Joseph Palazzolo of Imlay City, Michigan. I recently had the honor of presenting Mr. Palazzolo with his long overdue Bronze Star with Valor Device for his heroic actions 52 years ago. On November 16, 1966, while serving near Pleiku in Vietnam, Joe’s unit came under heavy enemy fire. Joe dropped his pack and set a line of fire to protect others when he was shot through the shoulder. Even after being wounded himself, Joe refused to be evacuated, and instead stayed inside the line of fire to help others. By the end of the firefight, Joe carried a half-dozen wounded soldiers to safety. His selflessness and bravery were evident in his actions that day. Mr. Palazzolo’s devotion to his fellow soldiers and his duty reflects distinction upon him, the 25th Infantry Division and the United States Army.

In honor of the 130th anniversary of Solenberger Hardware of Winchester, Virginia, Solenberger Hardware is truly the classic story of American entrepreneurialism, a story of humble beginnings, of overcoming adversity and adapting to new circumstances.

On the occasion of the company’s anniversary celebration, a large, beautiful historical mural that the company has completed that includes portraits of past company leaders and an illustration of the original store. The mural highlights one biblical expression to summarize those 130 years: “Do to Others What You Would Have Them Do to You.” This high standard of trustworthiness and loyalty, that was developed by each of the company’s leaders, is what has set Solenberger Hardware apart. John S. Solenberger, the founder of the store in 1888, made a significant contribution to this corporate culture when, during the Great Depression, he promised his employees that he would keep them working and on the payroll, and paid in cash. Herbert Solenberger, of the following generation, treated the store’s customers with such integrity that, if he found that the store had short-changed a customer, he would personally seek out the customer to return the money or her. And Herbert’s brother, Hugh, developed a standard of customer service that involved training employees to be experts about the store’s products and services, always approaching their work with the customer’s best interest in mind.

Such extraordinary loyalty and trustworthiness have always been extended to the larger community, as well. The 1960s and 1970s were times of racial unrest in Winchester and John T. Solenberger, Hugh’s son, expressed loyalty to an em- ployee by promoting him to a management position in the company, based on his merits, without being thwarted by any concerns he may have had for how such a decision might affect their business. Additionally, Solenberger Hardware annually hosts fundraising events to benefit the Winchester Area Temporary Thermal Shelter and the Winchester Rescue Mission.

Another tradition contributing to Solenberger Hardware’s resilience has been its passion for change and innovation, starting with John S.’s modifying the very nature of the Solenberger business, to current leaders John, Jr. and Cyndi Solenberger’s move of the store to a place offering greater access to the customer.

RECOGNIZING RED ARNDT FOR HIS LIFETIME OF SERVICE AND COMMITMENT

HON. STEVE KING
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. KING of Iowa. Mr. Speaker, today I rise to recognize Red Arndt for his many years of service to the Lewis & Clark Regional Water System, as well as his lifetime commitment to bringing safe and reliable water to the rural corners of this country.

Born Lennis Arndt on May 1, 1948, he earned the nickname, Red, while in grade school at the head of red hair. The name stuck and most people only know him today as Red Arndt.

Red grew up in Springfield, Minnesota, about 90 minutes from his current hometown, Luverne where he first started working in 1989 as their public relations. Shortly after beginning his new position, Red heard about a proposal to bring water from the Missouri River in South Dakota to the surrounding states. A major undertaking with more people doubting the idea than supporting, Red saw the opportunity and potential, recommending to the mayor and city council that Luverne join and become one of the first members of the corporation that would later become the Lewis & Clark Regional Water System.

Seeing Lewis & Clark develop from conception to construction was a labor of love for Red, it took hard to achieve and Red, one of only two original directors from 1990 still on the board, held a shovel when the ground was first broke in 2003. He has probably made over 60 trips to Washington, DC and many more to the state capitals and attended countless county, city and community meetings.

Fighting to get Lewis & Clark off the ground was just a starting point for Red. He has worked tirelessly on behalf of the project, serving as the vice-chairman of the board beginning in 1994 until becoming the board chair- man in 2006, a position he still holds. Lewis & Clark has experienced ups and downs during those years, yet under Red’s leadership over 200 miles of pipeline have been laid in the ground currently delivering much needed water to 14 member communities and rural water projects, reaching over 300,000 people across South Dakota, Minnesota and Iowa. He has seen over $470M in funding to Lewis & Clark, including $57M in advance funding from the three states.

Red’s indelible dedication was demonstrated when he participated in the ribbon cutting ceremony for the water treatment plant in August 2012, a mere two weeks after having open heart surgery. His fellow directors surprised him at the ceremony by presenting him with the Lewis & Clark Trailblazer Award, which is the organization’s highest honor.

In May 2016, Luverne was finally able to celebrate their connection to Lewis & Clark, with Red reveling in taking the first swig of water. It was at this ceremony that the meter to measure the water flow to Luverne was dedicated in Red’s honor. Red was acknowledge that this endeavor, benefiting generations to come in the tristate area, has been a true team effort. But, there is no question Red’s vi- sion for the future, dogged dedication and strong leadership have been a driving force through the years.

When he is not dedicating his time to Lewis & Clark, Red is a proud father of three boys (all sharing his red hair) and grandfather of three red-headed little girls. His family is his pride-and-joy. You will often find Red wearing a pin honoring his son who served in the United States Air Force.

As a dessert first type of guy, Red lives life to the fullest, enjoying travel, fishing and nu-
The attitude of the Solenberger family has been that adversity generates change and that change is to be welcomed and encouraged.

After 130 years, can the Solenberger legacy be continued? John, Jr. and Cyndi consider themselves stewards of a business that they want to pass on to the next generations, and they are encouraged by the success and recognition Ms. McManigle and Jaime Solenberger-McManigle as leadership partners of the future. Mr. Speaker, I ask that you and our colleagues join me in congratulating the owners and employees of Solenberger Hardware for celebrating 130 years of success and expressing the hope that, with God’s grace, the company will continue its legacy of success as an extraordinary corporate citizen, serving the northern Shenandoah Valley, for many years to come.

GEROGETTE MAGASSY DORN
HON. JOSÉ E. SERRANO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Georgette Magassy Dorn, Chief of the Hispanic Division of the Library of Congress.

Georgette Magassy Dorn was born in Hungary and was raised in Spain and Argentina. She immigrated to the United States in 1956. She has a bachelor’s degree from Creighton University, a Master’s degree from Boston College and a doctorate degree from Georgetown University, which she completed while working at the Library of Congress. For twenty years, she was visiting lecturer at Georgetown University. She published books and articles on Latin American culture and served as an officer in many professional organizations including the Latin American Studies Association.

Ms. Dorn has been leading the Hispanic Division since 1994 and will be retiring on October 12, 2018 after more than half a century of distinguished service to the Library of Congress. She started working at the Hispanic Division in 1964 as a Latin American Area Specialist and in 1968 became the Curator of the Archive of Hispanic Literature on Tape succeeding Francisco Aguilera. In her role as curator, she recorded over 400 poets and novelists from Latin America, the Iberian Peninsula, the Caribbean, and the United States for the Library’s archive. Nobel laureates that Ms. Dorn recorded include Pablo Neruda, Gabriel García Márquez (Colombia), Mario Vargas Llosa (Peru), and Camilo José Cela (Spain). Among U.S. Latino writers are U.S. Poet Laureate Juan Felipe Herrera, Ana Castillo, Sabine Ulbarri, and Rudolfo Anaya. The Archive also includes other Nobel Prize winners from the Hispanic world—Gabriela Mistral Chile), Juan Ramón Jiménez (Spain), Miguel Angel Asturias (Guatemala), and Octavio Paz (Mexico).

In addition to her work as a curator, Ms. Dorn was also the Head of the Hispanic Reading Room assisting patrons searching for materials. With the support of the Library, she expanded an active internship program for college students over the years of success and expressed her commitment to work with the Library’s world-class Hispanic collections. Beginning in the early 1990s, Ms. Dorn oversaw the automation of the “Handbook of Latin American Studies,” which is an annual, annotated bibliography in the humanities and social sciences prepared by a dedicated staff in the Hispanic Division with the help of 120 contributing editors from all across the United States. This important research tool has been prepared in the Hispanic Division since 1939 and has been published annually by the University of Texas Press in Austin. Since 1995 the Handbook is available online free of charge.

Ms. Dorn has overseen an ambitious digitization plan, in addition to the “Handbook,” in order to share the Library’s rich collections. As a result, one of the Division’s most visited sites is the Spanish-American War of 1898. Her other important contributions include developing the Hispanic collections in all formats and securing valuable historical items from donors for the Library. In recent years, she succeeded in acquiring visual materials by Latino artists for the Library’s Prints and Photographs Division.

TRIBUTE TO STEVE MCCANN
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Steve McCann. Mr. McCann was inducted into the Creston High School Hall of Fame as Distinguished Alumni and Contributor on Thursday, September 20, 2018.

Steve graduated from Creston High School in 1967 after participating in basketball, track and chorus. Steve was also active with plays and participated in the school’s first musical production, Bye Bye Birdie. He was named CHS Thespian of the Year in both 1966 and 1967. After attending Creighton University, Steve returned to Creston to live and work. In addition to farming, owning and operating Family Shoe Store, Steve has been an active sports official since 1971. He was inducted into the IHSAA Athletic Officials Hall of Fame in 2012.

Mr. Speaker, I am honored to recognize Steve McCann for this award, and for providing the youth in Iowa’s Third District the support that they will need to be successful. I am proud to represent him and Creston Community Schools in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Steve and wishing him nothing but continued success.

RECOGNIZING TAIWAN’S NATIONAL DAY, DOUBLE TEN DAY
HON. STEVE CHABOT
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. CHABOT. Mr. Speaker, I rise today in recognition of the upcoming Double Ten Day, the national day of the Republic of China, or as many of us like to call it, Taiwan, which is celebrated every October 10th. I would like to extend to the people of Taiwan and its government my best wishes for continued prosperity and security.

Over many decades, Taiwan and the United States have stood together against numerous challenges, and time and again have displayed a steadfast commitment to one another’s mutual security and prosperity. The Taiwanese people deeply appreciate the fundamental truth that people everywhere long to be free, and that representative government is essential to realizing this dream and the true prosperity, peace, and stability it brings. They’ve done the hard work of transitioning to democracy, with all the sacrifice and compromise that entails. This story shines as a beacon of hope to people all over Asia that democracy is not only possible but preferable.

In March, President Trump signed the Taiwan Travel Act. This legislation, which I introduced in 2017, will further strengthen and enhance our bilateral strategic partnership with Taiwan. It is generally accepted that high level official communication is an essential part of any alliance. I strongly urge the Trump Administration to follow through on the act soon. Our partnership with Taiwan will only be strengthened through such implementation.

In conclusion, Mr. Speaker, I reiterate my support and admiration for the people of Taiwan and their vibrant democracy, and offer my best wishes to them for a very happy Double Ten Day celebration.

RECOGNIZING THE LIFE AND SERVICE OF MARTIN NELIS
HON. MARK DeSAULNIER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018
Mr. DeSAULNIER. Mr. Speaker, I rise today to recognize the life and service of a longtime Pleasant Hill resident, Mr. Martin Nelis.

Martin was born in Northern Ireland, and graduated with a degree in engineering from Queen’s University, Belfast. He immigrated to the United States in 1988, and worked in the information technology field before working as a Congressional aide.

During his free time, Martin was a soccer player, coach, and cyclist. He was also an avid outdoorsman and often went hiking in the Redwood forests. Martin enjoyed an active lifestyle and was always willing to take up a cause.

In 2007, he began serving as a Public Information Officer for the Contra Costa Regional Fire Protection District, and was pivotal in supporting community development efforts. He assisted with coordinating the summer concert series and the local farmer’s market. Martin also led efforts to raise funds for a new public library. He continued to play an active role in his community until his unexpected passing on August 22, 2018.

Martin was preceded in death by his father Billy, and his brother Peter. He is survived by his seven siblings, Donncha, Liam, John, Patrick, Cathy, Declan and Frank, his 3 children whom he adored, Aidan, Finn and Deirdre. To Martin will be remembered for his service to the community, his sarcastic wit, and those who had the pleasure of knowing him. He will be sincerely missed.
COST ESTIMATE ON H.R. 6447, DEPARTMENT OF HOMELAND SECURITY CHIEF DATA OFFICER AUTHORIZATION ACT

HON. MICHAEL T. MCCaul
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6447, Department of Homeland Security Chief Data Officer Authorization Act, was prepared by the Congressional Budget Office. It was not available to the Committee at the time of filing of the legislative report.

September 4, 2018.

HON. MICHAEL MCCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6447, the Department of Homeland Security Chief Data Officer Authorization Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

KETH HALL,
Director.

Enclosure.

H.R. 6447—DEPARTMENT OF HOMELAND SECURITY CHIEF DATA OFFICER AUTHORIZATION ACT

As ordered reported by the House Committee on Homeland Security on July 24, 2018

H.R. 6447 would require the Department of Homeland Security (DHS) to designate a current career appointee as the chief data officer of the department. The bill also would require each of the seven operational components within DHS (such as Customs and Border Protection and the Transportation Security Administration) to designate current appointees as chief data officers. Those offices would coordinate the integration of data among DHS agencies, oversee the storage of records, and manage other tasks related to the use of DHS data systems.

Two DHS operational components currently have a chief data officer while a third component has a vacant position. We expect that the other four components and the department would have to hire five additional people to assist in carrying out the formal role of chief data officer established by the bill at an annual cost of around $150,000 per person. Thus, CBO estimates that implementing H.R. 6447 would cost about $1 million annually; such spending would be subject to the availability of appropriated funds.

Enacting H.R. 6447 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 6447 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 6447 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

TRIBUTE TO LINDA AND MICHAEL JONES

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. Young of Iowa. Mr. Speaker, I rise today to recognize and congratulate Linda and Michael Jones of West Des Moines, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on September 28, 2018.

Linda and Michael’s lifelong commitment to each other truly embodies our Iowa values. As they reflect on their 50th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating Linda and Michael Jones on this meaningful occasion and in wishing them both nothing but continued happiness.

SECURE BORDER COMMUNICATIONS ACT

SPEECH OF
HON. MICHAEL T. MCCaul
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, September 25, 2018

Mr. McCaul. Mr. Speaker, the following cost estimate for H.R. 6742, the Secure Border Communications Act, was prepared by the Congressional Budget Office. It was not available to the Committee at the time of filing of the legislative report.

September 25, 2018.

HON. MICHAEL MCCaul,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6742, the Secure Border Communications Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

KETH HALL,
Director.

Enclosure.

H.R. 6742—SECURE BORDER COMMUNICATIONS ACT

H.R. 6742 would require Customs and Border Protection (CBP) in the Department of Homeland Security (DHS) to equip CBP officers and border patrol agents with radios or similar devices that permit secure and effective communication with DHS personnel and with other federal and nonfederal law enforcement entities. According to CBP, it currently fields these devices in lieu of CBP radios that largely satisfy the act’s requirements, so CBO estimates that implementing H.R. 6742 would have no significant effect on agency spending.

Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 6742 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 6742 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Mark Grabowicz. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

RECOGNIZING BESPOKE GROUP LLC’S CONTINUED EXPORTING EXCELLENCE

HON. KENNY MARCHANT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. MARCHANT. Mr. Speaker, I rise today to recognize a small business in my district, the Bespoke Group LLC. As an exporter of pulse crops such as lentils, dry peas, and chickpeas, the Bespoke Group was recognized in 2015 by the U.S. Commerce Department with the prestigious President’s “E” Award. This honor was founded in 1961 by President John F. Kennedy, who wanted to recognize exporters who were making tremendous contributions to the U.S. employment level and strengthening our economy.

Today, the Commerce Department reserves this accolade for those small companies that demonstrate sustained export sales increases over a four-year period, making it the highest recognition that any U.S. entity can receive for making a significant contribution to the expansion of American exports. Small businesses are vital to a healthy and growing American economy, and companies such as Bespoke Group LLC are helping to boost our economy to new heights. I look forward to other Texas small businesses receiving similar national acclaim for their exemplary work in promoting American economic growth.

Mr. Speaker, I ask all of my distinguished colleagues to join me in recognizing the Bespoke Group LLC, and all small businesses across the U.S., for their continued and vital efforts to promoting American prosperity and strengthening our economy.

HONORING THE WESTCHESTER COUNTY PRESS

HON. ELIOT L. ENGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ENGEL. Mr. Speaker, today, as the credibility of journalists and media outlets come under fire daily, I want to recognize one newspaper in my district that has been serving Westchester County for the past 90 years, the Westchester County Press.

Casilda luella established the local newspaper, at first, to serve her community of Hastings-on-Hudson, and did so for 23 years. Casilda then sold the newspaper in 1951 to Reverend Alger Adams, and his wife Jessie of Hastings-on-Hudson, who shifted the focus of the newspaper. Moving from a strictly local point of view, the Westchester County Press began reporting on the lack of African-American representation within the county. Over the next 35 years, Reverend Adams followed leads, hired reporters, and columnists to grow the Westchester County Press. Most notably, Reverend Adams hired civil rights activist M. Paul Redd, Sr. to write a weekly political column titled “M. Paul Tells All.”
Mr. Redd’s columns brought increased exposure to the Westchester County Press, and he eventually became the owner in 1986. Under Mr. Redd’s leadership the Westchester County Press became the leading voice of issues impacting the African-American community throughout Westchester. As owner, he would continue to write his “M. Paul Tells All” column until his passing in 2009.

For more than 60 years, the Westchester County Press is the only weekly newspaper owned and run by African-Americans within Westchester County. Now led by Sandra Blackwell, since 2009, the newspaper continues to maintain high journalistic standards when reporting on the African-American community on a local, state and national level. As a result of their unavailing mission, the Westchester County Press is 1 of 200 African American newspapers that are members of the National Newspapers Publishers Association (NNPA).

I want to congratulate the Westchester County Press for serving the Westchester County community for the past 90 years. Their dedication to reporting on issues impacting the African-American community cannot go unrecognized. Lastly, I would like to honor M. Paul Redd Sr.’s near 50 years of work, and acknowledge his enshrinement in the NNPA’s Hall of Fame as of 2014.

CELEBRATING GAINESBORO FIRE AND RESCUE COMPANY’S 60 YEARS OF SERVICE TO THE COMMUNITY

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, in 1958, plans for a fire department in Gainesboro began to take shape, with the help and direction of the Gainesboro Ruritan Club. Red Williamson was elected the first Fire Chief of Gainesboro and the purchase of a fire truck took place with financial help from the Clearbrook Fire Company and Shade Equipment Company. The fire company donated their facilities to install the tank and pumps. The truck was completed and put in service following the first Yard Party in June, 1958.

In March, 1958, the land on which the Gainesboro Fire Company exists was purchased for the sum of $1,200. The firehouse was built by members of the Gainesboro Fire Company and the larger Gainesboro community, and because of their extraordinary generosity of time, energy and money, the entire firehouse was built in one short year, between July, 1958 and July 1959.

The history of the call volume is an indication of the significant growth in the work of the Gainesboro Fire Company. In 1958, there were a total of 11 fire runs, the first being a woods fire in Cross Junction that the Gore Fire Company assisted with. Five years later, in 1963, there were 65 runs and by 2017, there were over 1,000 runs. This increased demand on the fire company’s services has necessarily involved a significant increase in operational staff, which now amounts to 65 certified firefighters, emergency Medical Technicians and paramedics.

With an operating budget of nearly $300,000, approximately $130,000 of it needs to be raised by the members of the Gainesboro Fire Company and its Ladies Auxiliary, which was formed in November, 1958. As a resilient, self-sustaining organization, the fire company has put on one type of fundraiser or another almost every month for the past 60 years, adding up to approximately 700 fundraisers during the time of the fire company’s existence.

Mr. Speaker, I know that I speak for all the people of the 10th Congressional District of Virginia in expressing our deep gratitude to our community heroes—our firefighters and emergency medical personnel, along with our law enforcement officers, who are willing to face any situation, no matter how grave or dangerous, to help us in our times of greatest desperation and need. I ask that you and our colleagues join me in thanking Chief Don Jackson and the community heroes of Gainesboro Fire and Rescue Company who, for 60 years, have courageously stepped forward to assist the residents of their community, and to also thank the ladies’ auxiliary and other leaders of the Gainesboro community, who have so generously supported the ongoing work of their community heroes.

HONORING THE PUBLIC SERVICE OF MAYOR BETTINA BIERI

HON. JOSH GOTTHEIMER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. GOTTHEIMER. Mr. Speaker, I rise today to honor the service of Mayor Bettina Bieri, a staunch and impassioned advocate for the people of West Milford, lifelong humanitarians, and mother of two incredible children.

Mayor Bieri is a dedicated public servant in North Jersey whose countless accomplishments include restoring the New Jersey Watershed, promoting the new library in West Milford, and holding local officials to the highest standards of accountability. These efforts demonstrate her unshakable commitment to serving her community for thirty-two years.

Mayor Bieri has consistently fought for her hometown by dedicating herself to better her community on the boards of many local service groups, including the St. Joseph’s Finance Board, the West Milford Animal Shelter, and the West Milford Chamber of Commerce.

As a graduate of Pace University and a Certified Public Accountant, Mayor Bieri successfully utilized her financial expertise and implemented sound fiscal policies to improve West Milford’s credit rating and save her constituents tax dollars. Although Mayor Bieri is retiring from public service, I am confident she will continue to make an indelible impact on those around her through her charitable work and unwavering commitment to helping others.

Mr. Speaker, I am deeply grateful for the contributions Mayor Bettina Bieri has made to West Milford and our community throughout her career. People like Mayor Bieri are what make northern New Jersey such a great place, and I am proud to call her my constituency.

RECOGNIZING MALNUTRITION AWARENESS WEEK

HON. NORMA J. TORRES
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. TORRES. Mr. Speaker, I rise today to recognize this week as Malnutrition Awareness Week.

Every 60 seconds, 10 hospitalized patients with malnutrition go undiagnosed, with the majority of these individuals being older adults. Malnutrition among seniors and older adults can lead to a greater risk of chronic disease, frailty, disability and increases in healthcare costs.

Malnutrition also disproportionately impacts minorities who are often managing comorbid chronic diseases. In my home district, 80 percent of the constituents I represent are of Hispanic background. It is of great concern to hear that malnutrition is more than twice as common among low-income older adult Latino households.

We cannot advance malnutrition care and promote improved patient recovery if we do not align the identification of and interventions for malnutrition with healthcare quality incentive programs.

The great news is that there are common-sense solutions that can close this gap in care now.

We can first begin by measuring the scope of the problem. Sadly, we currently don’t know the full extent of the malnutrition problems plaguing our senior population. To change this, we can add screening measures for malnutrition to the national health surveys of older adults and implement national key health indicators and Healthy People 2030 goals for older Americans. Doing something as simple as adding malnutrition measures will help shape public health programs and better guide health care professionals as they address serious health conditions.

Another simple change we can make is adding older adult malnutrition to national dietary guidelines.

We cannot expect older adults and their families to take steps to address malnutrition if we do not give them the tools to identify the problem. We must meet older Americans halfway so that families can make appropriate interventions for their unique conditions and circumstances. Therefore, I call on HHS and USDA to include dietary guidance for the prevention and treatment of older adult malnutrition and the closely aligned problem of age-related sarcopenia listed in the 2020 Dietary Guidelines for Americans.

Lastly, malnutrition should be interleaved into healthcare incentive programs. A patient’s nutrition status is rarely evaluated and managed as individuals transition across care settings. I therefore urge the CMS to include malnutrition electronic clinical quality measures in Medicare quality programs as well as in measures related to malnutrition in care transition programs. This will help reduce hospital readmission rates and improve transitional care for seniors in the long run.

Increasing awareness of nutrition’s role on patient recovery and implementing these measurement changes will help educate healthcare professionals and families which will result in helping seniors live healthy and independent lives.
TRIBUTE TO VIC BELGER 
HON. DAVID YOUNG 
OF IOWA 
IN THE HOUSE OF REPRESENTATIVES 
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Vic Belger. Mr. Belger was inducted into the Creston High School Hall of Fame as Faculty Representative on Thursday, September 20, 2018.

Vic served as guidance counselor, driver’s education teacher and head baseball coach in Creston for two decades starting in the early 1980’s. His overall record as head baseball coach was 920–319, which ranks 27th all-time nationally for career victories. He also coached basketball at Creston for 9 seasons. He was named Iowa Coach of the year in 1990 and was inducted into the Iowa High School Baseball Coaches Association Hall of Fame in 1995. Vic and his wife, Pat, now live in Waukee, Iowa, where they attend their grandchildren’s activities and Vic still teaches driver’s education.

Mr. Speaker, I am honored to recognize Vic Belger for this award, and for providing the youth in Iowa’s Third District the education and direction that they will need to be successful. I am proud to represent him and Creston Community Schools in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Vic Belger and wishing him nothing but continued success.

HONORING BATTALION CHIEF JAMES NELSON 
HON. ANDY BIGGS 
OF ARIZONA 
IN THE HOUSE OF REPRESENTATIVES 
Friday, September 28, 2018

Mr. BIGGS. Mr. Speaker, today, I honor the life of my constituent Mr. James Nelson. Mr. Nelson dedicated his life to public service, his community, and first and foremost, his family. He will be greatly missed by everyone that was lucky enough to know him in the East Valley.

James grew up in Tempe, Arizona where he played football and basketball for Marcos De Niza High School. His competitive nature and out-going personality led to future success in leadership positions in his 25-plus-year career serving others. He began his fire service career in the East Valley and was a founding member of the Gilbert Fire Department in 1993. For most of his professional life he served as Captain, later promoted to Battalion Chief.

James was a consummate professional and mentor to many other fire fighters. It is hard to imagine how many lives have been improved because of James’ guidance and advice. He was a pillar of strength for his family, friends, and the fire service. I express my sincere condolences to his wife Kerry, his three daughters, Sydney, Shetula, and Shealy, his parents Ken and Nancy Nelson, his brother Paul Nelson, his sisters Sherri Nelson and Tricia Nelson and his other surviving family members.

IN HONOR OF JILL TANNER FOR NATIONAL OVARIAN CANCER AWARENESS MONTH 
HON. BRETT GUTHRIE 
OF KENTUCKY 
IN THE HOUSE OF REPRESENTATIVES 
Friday, September 28, 2018

Mr. GUTHRIE. Mr. Speaker, I rise today to honor my constituent Jill Tanner, an ovarian cancer survivor from Owensboro, Kentucky. September is National Ovarian Cancer Awareness Month. Ovarian cancer accounts for 2.5 percent of cancers in women, and sadly, the American Cancer Society estimates that this year, about 22,240 new cases will be diagnosed in the United States. Jill has taken her experience fighting ovarian cancer and has become a fierce advocate for funding and research to fight this disease. I have met with Jill on a number of occasions to discuss what more Congress can do to help those with ovarian cancer, and I want to thank her for her advocacy.

TRIBUTE TO LOUISE SIMPSON 
HON. DAVID YOUNG 
OF IOWA 
IN THE HOUSE OF REPRESENTATIVES 
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Louise Simpson of Shenandoah, Iowa on her 100th birthday. Mildred celebrated her birthday on September 11, 2018.

Our world has changed a great deal during the course of Louise’s life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Louise has lived through eighteen United States Presidents and twenty-five Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Louise in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I ask that my colleagues in the House of Representatives join me in congratulating Louise on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

HONORING WHITE PLAINS HOSPITAL 
HON. NITA M. LOWEY 
OF NEW YORK 
IN THE HOUSE OF REPRESENTATIVES 
Friday, September 28, 2018

Mrs. LOWEY. Mr. Speaker, I rise today to honor White Plains Hospital as it hosts its 125th Anniversary Gala on Saturday, September 29, 2018.

White Plains Hospital is a not-for-profit health care organization aimed at providing quality and affordable health care to Westchester County and the surrounding areas. In the year following its founding in 1893 by 22 women and three men, the hospital treated 31 patients. Today, it has a staff of 1,100 and treats more than 200,000 patients a year. White Plains Hospital has truly become a cornerstone of our community.

White Plains Hospital not only provides both inpatient and outpatient services, but also aims to improve the health care of the local and professional communities and the business sector. It greatly expanded access to care by opening locations across Westchester County with excellent physicians in, but not limited to, primary care, pediatrics and obstetrics and gynecology, oncology, oncology, cardiology, dermatology, geriatrics, cardiology, medical and surgical specialties, and urgent care.

Mr. Speaker, I am proud to have worked alongside White Plains Hospital to support quality health care for area residents. I urge my colleagues to join me in recognizing this organization and applauding its 125 years of service to our community as it celebrates this quasiquincentennial anniversary.

IN RECOGNITION OF ASHLAN BORSARI AND CHILDREN’S CARDIOMYOPATHY AWARENESS MONTH 
HON. WILLIAM R. KEATING 
OF MASSACHUSETTS 
IN THE HOUSE OF REPRESENTATIVES 
Friday, September 28, 2018

Mr. KEATING. Mr. Speaker, I rise today in recognition of Ashlan Borsari, a patient with the disease called Cardiomyopathy, and of Plymouth, Massachusetts, and to recognize September as Children’s Cardiomyopathy Awareness Month.

Ashlan Borsari was diagnosed at birth with a rare, chronic, and degenerative heart disease called cardiomyopathy. By the time Ashlan reached kindergarten, her heart had left her barely able to climb a flight of stairs, and keeping up with her friends was impossible. Ashlan underwent her first open heart surgery at the age of five, and for the next nine years, she lived close to a typical 14. Unfortunately, at the age of 14, she experienced a series of sudden cardiac arrests which required her to be revived through CPR.

Ashlan was airlifted to Boston Children’s Hospital where doctors implanted an internal defibrillator.

Children and infants diagnosed with cardiomyopathy face some of the worse outcomes in pediatric cardiology. Forty percent of patients diagnosed with pediatric cardiomyopathy die at a young age or undergo a heart transplant within the first two years of their diagnosis. Despite this, little is known about the causes of this disease and there currently is no cure. While there is tremendous variation in symptoms among the four different types of cardiomyopathy, each case poses enormous challenges and dangers to those who suffer from the disease. As Members of Congress, we need to do all that we can to get the word out about this little understood, yet life-threatening autoimmune disease.

Mr. Speaker, I am honored to recognize Ashlan Borsari for her remarkable spirit and perseverance, and in recognizing September as Children’s Cardiomyopathy Awareness Month. Her story reminds us that through education, awareness, and research, we can better understand pediatric cardiomyopathy.
pledge to continue to raise awareness and do what I can to secure the resources needed to build upon the steady strides already achieved in understanding and finding a cure for cardiomyopathy.

RECOGNIZING TAIWAN NATIONAL DAY

HON. TOM EMMER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. EMMER. Mr. Speaker, I rise today in recognition of the 60th anniversary of Taiwan. The United States and Taiwan have enjoyed a fruitful partnership for decades, and I would like to wish the people of Taiwan a very Happy National Day.

Taiwan is a critical partner of the United States and my state of Minnesota. Over the last decade, Taiwan has shown and continues to be a prosperous nation characterized by strong economic growth, a commitment to democracy and respect for basic human rights and freedoms.

Where trade and economic prosperity are concerned, our two countries have made great strides. In 2017, Taiwan was ranked as the 11th largest trading partner of the United States, the 11th largest U.S. export market overall and the 7th largest market for U.S. agricultural products. Taiwan imported $3.57 billion of food and agricultural products from the U.S., representing more than 28 percent of total imports of those products.

Taiwan regularly sponsors trade missions to the United States in pursuit of agricultural products. Last year, those missions culminated in the signing of letters of intent to purchase approximately $2.8 billion in U.S.-produced grains between 2018 and 2019. Just in late September, another trade mission from Taiwan visited the United States with the intent to purchase $300 million in soybeans and other agriculture products. The mission also traveled to Minnesota, one of the biggest agriculture and soybean producing states in the U.S. In fact, Taiwan is Minnesota’s 5th largest export market in Asia, with over $450 million in goods exported in 2016. Our two countries will continue to seek avenues where we can work together, and I hope my colleagues will join me in promoting this cooperation wherever possible.

Minnesota and the rest of the country benefit from our relationship with Taiwan and continuing important partnership. It is my privilege to congratulate the celebrants of the “Double Tenth Day,” and I look forward to celebrating this important event for many years to come.

RECOGNIZING COACH AL LESLIE

HON. TIM WALBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. WALBERG. Mr. Speaker, I rise today to recognize Coach Al Leslie of Saline, Michigan who was recently named the ALL-USA Boys Track and Field Coach of the Year.

Al has been a track coach for 17 years—the last 12 of which have been at Saline High School, home of the Hornets. This past season, the Boy’s Track Team won their 8th straight conference championship, their 8th consecutive regional title, and placed third at the state championship. Later, at a national competition, the Hornets won the 800 and 1600 medley relays.

Coach Leslie’s commitment to excellence, as well as the unity and team spirit that he seeks to promote, has created a winning formula at Saline. In fact, his favorite quote, attributed to Bo Schembechler, is “The team, the team, the team.”

In addition to his success as a track coach, Al is also a beloved assistant football coach at Saline, where he currently teaches 8th grade history.

Once again, I wish to congratulate Coach Leslie on this impressive achievement. The investment he makes in the lives of young people, both on and off the field, will impact our community for years to come.

IN RECOGNITION OF THE CHESAPEAKE BAY STRING OF PEARLS PROJECT OF THE NORTHERN VIRGINIA CONSERVATION TRUST

HON. BARBARA COMSTOCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. COMSTOCK. Mr. Speaker, I rise to honor very special landowners in northern Virginia who are the latest contributors to the Chesapeake Bay String of Pearls Project of the Northern Virginia Conservation Trust. The trust adds to and sustains places in our communities that enhance our natural, historical and cultural value, by assisting private landowners and local jurisdictions conserve and care for our natural and working lands and waters.

On November 16, seven newly conserved properties have been added to the 62 other parcels that make up the String of Pearls in the Chesapeake Bay Watershed. These treasured private lands are in Great Falls, McLean and Oakton, and are the first conserved lands to be honored in the Commonwealth of Virginia.

As the member of Congress representing this area, I want to express my deep appreciation to these visionary landowners who have preserved their land forever, thus “saving nearby nature” to benefit current and future generations of Virginians and Americans. I also want to express my gratitude to the leadership of the Northern Virginia Conservation Trust, who, over the past 20-plus years has conserved 6,500 acres in the region and has been such an invaluable resource for conservation management, through its stewardship of protected land, encouragement of volunteer conservation activities, and critical technical assistance to local governments as they implement their comprehensive plans.

Mr. Speaker, I ask that you and our colleagues join me and all the people of the 10th Congressional District, in recognizing and thanking the Northern Virginia Conservation Trust and the sixty-nine conservation landowners of the Chesapeake Bay String of Pearls Project for their everlasting contributions to the quality of life of the residents of Northern Virginia and the Chesapeake Bay watershed.

TRIBUTE TO MAXINE AND BO HAMM

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Maxine and Bob Hamm of Clarinda, Iowa on the very special occasion of their 70th wedding anniversary. They celebrated their anniversary on September 14, 2018.

Maxine and Bob’s lifelong commitment to each other and their family truly embodies
Iowa values. As they reflect on their 70th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO LARRY ITLIONG

HON. NANETTE DIAZ BARRAGÁN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. BARRAGÁN. Mr. Speaker, I rise today to commemorate the extraordinary life of Larry Itliong and to celebrate Larry Itliong Day on October 27, 2018 in California’s 44th Congressional District.

Whereas on October 25, 1913, Larry Itliong was born into a family of six children in Pangasinan Province of the Philippines;

Whereas at the age of 14, Larry Itliong immigrated to the United States and became a farmworker who would travel between Alaska, Washington, Montana, South Dakota, and California;

Whereas Larry Itliong led the Agricultural Worker Organizing Committee and organized 1,500 Filipinos to strike against grape growers in the Central Valley, in what became the famous Delano Grape Strike, which lasted for more than 5 years;

Whereas in 1965, Larry Itliong and the Filipino workers joined forces with César Chávez’s National Farm Workers Association and merged into the United Farm Workers;

Whereas Larry Itliong, also known as Seven Fingers, has been described as one of the fathers of the West Coast Labor movement;

Whereas the City of Carson became the first city in the United States to recognize Larry Itliong Day; and

Now therefore, I declare and hereby recognize the date of October 27, 2018 to be Larry Itliong Day in Carson, California, marking the 4th annual celebration of this remarkable man.

HONORING GROUNDWORK HUDSON VALLEY SCIENCE BARGE 10TH ANNIVERSARY

HON. ELIOT L. ENGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. ENGEL. Mr. Speaker, the Yonkers waterfront is a remarkable natural resource for our community, and for 10 years now Groundwork Hudson Valley has made incredible use of it with their Science Barge.

The Science Barge is a prototype sustainable urban farm developed by NY Sun Works and acquired by Groundwork Hudson Valley in 2008. Since then, it has been operated as an environmental education center. The Science Barge greenhouse, floating on the Hudson River, grows an abundance of fresh produce including tomatoes, melons, peppers, eggplant, and lettuce with zero net carbon emissions, zero pesticides, and zero runoff. All of the energy needed to power the Barge is generated by solar panels, wind turbines, and biofuels while the hydroponic greenhouse is irrigated solely by collected rainwater and purified river water, thus operating completely “off the grid.” It is the only fully functioning demonstration of renewable energy supporting sustainable food production in New York. The Science Barge is open for weekday educational programs and field trips for schools, camps, and other groups from mid-April through the beginning of November.

Mr. Speaker, our planet is changing. Climate change is real and having a profound impact already. We need more initiatives like the Science Barge to help us learn and adapt to these changes, while simultaneously teaching us about sustainability. I’m proud to have the Science Barge in my district and I congratulate the entire Groundwork team on 10 terrific years.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Ms. ESHOO. Mr. Speaker, I was unable to be present during roll call vote numbers 409, 410, 411, and 412 on September 27, 2018, due to recent surgery. I would like to reflect how I would have voted:

On roll call vote number 409, I would have voted NO.

On roll call vote number 410, I would have voted NO.

On roll call vote number 411, I would have voted NO.

On roll call vote number 412, I would have voted NO.

HONORING THE CHILD CARE COUNCIL OF WESTCHESTER

HON. NITA M. LOWEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mrs. LOWEY. Mr. Speaker, I rise today to honor the Child Care Council of Westchester as it hosts its 50th Anniversary Celebration on October 18, 2018.

The Child Care Council of Westchester promotes quality child care and education to support the healthy development of children and families. For children, the Council is a safe space to learn and grow. For parents, the Council eases the financial burden of child care by providing high quality, affordable child care for working families. For child care professionals, the Council acts as an information hub on running a business, providing quality care, and meeting legal obligations. Finally, for Westchester employers, the Council provides resources and referrals to have successful employment and careers.

The Child Care Council’s continued success in Westchester can be largely attributed to its Executive Director Kathy Halas. Since 2003, Ms. Halas has led the Council as it advocates for the importance of healthy childhood development and quality child care. Ms. Halas’ unwavering activism is an inspiration to us all and can be credited with the care of countless children throughout Westchester County and beyond.

Mr. Speaker, I am proud to have worked alongside Kathy Halas and the Child Care Council of Westchester to support quality early care and education for all children. I urge my colleagues to join me in recognizing this incredible organization and applauding its 50 years of service to Westchester County as it celebrates this golden anniversary.

CELEBRATING THE LIFE OF DONALD PANOZ

HON. DOUG COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize and honor Nova and Lester Leighton of Griswold, Iowa on the very special occasion of their 75th wedding anniversary. They were married on September 22, 1943 in Council Bluffs, Iowa.

Nova and Lester’s lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 75th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 75th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

Celebrating the Life of Donald Panoz

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Friday, September 28, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Nova and Lester Leighton of Griswold, Iowa on the very special occasion of their 75th wedding anniversary. They were married on September 22, 1943 in Council Bluffs, Iowa.

Nova and Lester’s lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 75th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 75th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

Mr. Speaker, I am proud to have worked alongside Kathy Halas and the Child Care Council of Westchester to support quality early care and education for all children. I urge my colleagues to join me in recognizing this incredible organization and applauding its 50 years of service to Westchester County as it celebrates this golden anniversary.

Mr. Speaker, I am proud to have worked alongside Kathy Halas and the Child Care Council of Westchester to support quality early care and education for all children. I urge my colleagues to join me in recognizing this incredible organization and applauding its 50 years of service to Westchester County as it celebrates this golden anniversary.
Daily Digest

Senate

Chamber Action
Routine Proceedings, pages S6367–S6400

Measures Introduced: Eight bills and four resolutions were introduced, as follows: S. 3525–3532, S. Res. 660–662, and S. Con. Res. 49.

Measures Reported:

H.R. 606, to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the “Harold D. McCraw, Sr., Post Office Building”.

H.R. 1209, to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the “Mission Veterans Post Office Building”.

H.R. 2979, to designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the “Jack H. Brown Post Office Building”.

H.R. 3230, to designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the “Harmon Killebrew Post Office Building”.

H.R. 4407, to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the “Corporal Jeffrey Allen Williams Post Office Building”, with amendments.

H.R. 4890, to designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the “Wayne K. Curry Post Office Building”.

H.R. 4913, to designate the facility of the United States Postal Service located at 816 East Salisbury Parkway in Salisbury, Maryland, as the “Sgt. Maj. Wardell B. Turner Post Office Building”.

H.R. 4946, to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the “Specialist Trevor A. Win’E Post Office”.

H.R. 4960, to designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the “Spc. Sterling William Wyatt Post Office Building”.

H.R. 5349, to designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the “Judge Russell B. Sugarmon Post Office Building”.

H.R. 5504, to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the “Sergeant Dietrich Schmieman Post Office Building”.

H.R. 5737, to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the “Captain Joshua E. Steele Post Office”.

H.R. 5784, To designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the “Vel R. Phillips Post Office Building”.

H.R. 5868, to designate the facility of the United States Postal Service located at 530 Claremont Avenue in Ashland, Ohio, as the “Bill Harris Post Office”.

H.R. 5935, to designate the facility of the United States Postal Service located at 1355 North Meridian Road in Harristown, Illinois, as the “Logan S. Palmer Post Office”.

H.R. 6116, to designate the facility of the United States Postal Service located at 362 North Ross Street in Beaverton, Michigan, as the “Colonel Alfred Asch Post Office”.

S. 3209, to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the “Private Henry Svehla Post Office Building”.

S. 3237, to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the “Richard W. Williams Chapter of the Triple Nickles (555th P.I.A.) Post Office”, with amendments.

S. 3414, to designate the facility of the United States Postal Service located at 20 Ferry Road in Saugerties, New York, as the “Sgt. Maj. Monica Rideout Post Office”.

S. 3442, to designate the facility of the United States Postal Service located at 105 Duff Street in
Macon, Missouri, as the “Arla W. Harrell Post Office”.

Measures Passed:

**Enrollment Correction:** Senate agreed to S. Con. Res. 49, providing for a correction in the enrollment of S. 2553.

**Short Term FAA Extension:** Senate passed H.R. 6897, to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund.

**PROGRESS for Indian Tribes Act:** Senate passed S. 2515, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes.

**National Workforce Development Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 632, designating September 2018 as “National Workforce Development Month”, and the resolution was then agreed to.

**Sickle Cell Disease Awareness Month:** Senate agreed to S. Res. 661, expressing support for the designation of September 2018 as “Sickle Cell Disease Awareness Month” in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to sickle cell disease, complications from sickle cell disease, and conditions related to sickle cell disease.

**Campus Fire Safety Month:** Senate agreed to S. Res. 662, designating September 2018 as “Campus Fire Safety Month”.

House Messages:

**Sports Medicine Licensure Clarity Act—Agreement:** Senate began consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, after agreeing to the motion to proceed to consideration of the House message to accompany the bill, and taking action on the following motions and amendments proposed thereto:

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 4026 (to the motion to concur in the amendment of the House to the amendment of the Senate), to change the enactment date.

McConnell Amendment No. 4027 (to Amendment No. 4026), of a perfecting nature.

McConnell motion to refer the House message to accompany the bill to the Committee on Commerce, Science, and Transportation, with instructions, McConnell Amendment No. 4028, to change the enactment date.

McConnell Amendment No. 4029 (the instructions (Amendment No. 4028) of the motion to refer), of a perfecting nature.

McConnell Amendment No. 4030 (to Amendment No. 4029), of a perfecting nature.

A motion was entered to close further debate on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, September 28, 2018, a vote on cloture will occur at 5:30 p.m., on Monday, October 1, 2018.

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, at 5 p.m., on Monday, October 1, 2018, Senate resume consideration of the House message to accompany the bill, as if in Legislative Session; that at 5:30 p.m., Senate vote on the motion to invoke cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill; and that if cloture is invoked, Senate remain in Executive Session and the post-cloture time continue to run as otherwise under the Rule, and that upon the use or yielding back of post-cloture time, Senate vote, as if in Legislative Session, on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

**Support for Patients and Communities Act—Agreement:** A unanimous-consent-time agreement was reached providing that at a time to be determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the House Message to accompany H.R. 6, to provide for opioid use disorder prevention, recovery, and treatment; that the Majority Leader, or his designee, be recognized to make a motion to concur, that there be up to four hours of debate on the motion, equally divided in the usual form, and that following the use or yielding back of that time, Senate vote on the motion to concur, with no intervening action or debate.

**Signing Authorities—Agreement:** A unanimous-consent agreement was reached providing that the Majority Leader and Senator Boozman be authorized...
to sign duly enrolled bills or joint resolutions during the upcoming recess of the Senate.

**Kavanaugh Nomination:** Senate began consideration of the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.

Prior to the consideration of this nomination, Senate took the following action:
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

**Nominations Received:** Senate received the following nominations:
- Jean Nellie Liang, of Illinois, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.
- Darrell E. Issa, of California, to be Director of the Trade and Development Agency.
- Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.
- Jeffrey L. Eberhardt, of Wisconsin, to be Special Representative of the President for Nuclear Non-proliferation, with the rank of Ambassador.
- Christopher Paul Henzel, of Virginia, to be Ambassador to the Republic of Yemen.
- Lynne M. Tracy, of Ohio, to be Ambassador to the Republic of Armenia.
- Virgil Madden, of Indiana, to be a Commissioner of the United States Parole Commission for a term of six years.
- Monica David Morris, of Florida, to be a Commissioner of the United States Parole Commission for a term of six years.

**Nomination Withdrawn:** Senate received notification of withdrawal of the following nomination:
- Anthony Kurta, of Montana, to be a Principal Deputy Under Secretary of Defense, which was sent to the Senate on July 25, 2017.

**Messages from the House:**
- Measures Referred:
- Measures Read the First Time:
- Enrolled Bills Presented:
- Executive Communications:
- Executive Reports of Committees:
- Additional Cosponsors:
- Statements on Introduced Bills/Resolutions:

**Adjournment:** Senate convened at 2 p.m. and recessed at 6:21 p.m., until 3 p.m. on Monday, October 1, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6399.)

**Committee Meetings**

(Commissions not listed did not meet)

**BUSINESS MEETING**

Committee on the Judiciary: Committee ordered favorably reported the nomination of Brett M. Kavanaugh, of Maryland, to be an Associate Justice of the Supreme Court of the United States.

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**House of Representatives**

**Chamber Action**

Public Bills and Resolutions Introduced: 45 public bills, H.R. 6964–7008; and 11 resolutions, H. Res. 1099–1109 were introduced.

Additional Cosponsors:

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Poe (TX) to act as Speaker pro tempore for today.

Amending title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program: The House agreed to discharge from committee and pass H.R. 6886, to amend title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE
for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program, as amended by Representative Sam Johnson (TX).

Pages H9156–58


Pages H9158–74, H9256

Rejected the Larson (CT) motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 184 yeas to 226 nays, Roll No. 413.

Pages H9172–74, H9255

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part C of H. Rept. 115–985, shall be considered as adopted.

Page H9158

H. Res. 1084, the rule providing for consideration of the bills (H.R. 6756), (H.R. 6757), and (H.R. 6760) was agreed to yesterday, September 27th.

Suspensions: The House agreed to suspend the rules and pass the following measure:

Providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment: H. Res. 1099, providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment, by a 3/5 yea-and-nay vote of 393 yeas to 8 nays, Roll No. 415.

Pages H9174–9255, H9256–57

Committee on Transportation and Infrastructure—Communication: Read a letter from Chairman Shuster wherein he transmitted copies of nineteen resolutions that include 11 alteration projects, five lease prospectuses, and two construction projects included in the General Services Administration’s Capital Investment and Leasing Programs. The resolutions were adopted by the Committee on Transportation and Infrastructure on September 27, 2018.

Pages H9257–H9357

Renaming the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter: The House agreed to discharge from committee and pass H.R. 6870, to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

Page H9357

Designating the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the “Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building”: The House agreed to discharge from committee and pass H.R. 5791, to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the “Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building”.

Page H9357

Designating the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the “Deputy Sheriff Heath McDonald Gumm Post Office”: The House agreed to discharge from committee and pass H.R. 5792, to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the “Deputy Sheriff Heath McDonald Gumm Post Office”, as amended by Representative Comer.

Page H9357

Agreed to amend the title so as to read: “To designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ‘Detective Heath McDonald Gumm Post Office’.”.

Page H9357

Designating the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the “Major Andreas O’Keeffe Post Office Building”: The House agreed to discharge from committee and pass H.R. 6780, to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the “Major Andreas O’Keeffe Post Office Building.”

Page H9357

Designating the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the “Napoleon ‘Nap’ Ford Post Office Building”: The House agreed to discharge from committee and pass H.R. 6591, to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the “Napoleon ‘Nap’ Ford Post Office Building”.

Pages H9357–58

Missing Children’s Assistance Act of 2018: The House agreed to take from the Speaker’s table and pass S. 3354, to amend the Missing Children’s Assistance Act.

Pages H9358–59

Reauthorizing the Family Violence Prevention and Services Act: The House agreed to discharge from committee and pass H.R. 6014, to reauthorize the Family Violence Prevention and Services Act.

Page H9359
Reauthorizing the Congressional Award Act: The House agreed to take from the Speaker’s table and pass S. 3509, to reauthorize the Congressional Award Act. Page H9359


Global Food Security Reauthorization Act: The House agreed to take from the Speaker’s table and pass S. 2269, to reauthorize the Global Food Security Act of 2016 for 5 additional years. Page H9369

Amending title 18, United States Code, to provide for assistance for victims of child pornography: The House agreed to discharge from committee and pass S. 2152, to amend title 18, United States Code, to provide for assistance for victims of child pornography, as amended by Representative Marino. Pages H9369–73

Abolish Human Trafficking Act: The House agreed to discharge from committee and pass S. 1311, to provide assistance in abolishing human trafficking in the United States, as amended by Representative Marino. Pages H9373–81

Trafficking Victims Protection Act: The House agreed to discharge from committee and pass S. 1312, to prioritize the fight against human trafficking in the United States, as amended by Representative Marino. Pages H9381–90

Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act: The House agreed to discharge from committee and pass H.R. 68, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, as amended by Representative Marino. Pages H9390–92

Providing for the continued performance of the functions of the United States Parole Commission: The House agreed to discharge from committee and pass H.R. 6896, to provide for the continued performance of the functions of the United States Parole Commission. Pages H9392–93

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, October 2nd. Page H9393

Library of Congress Trust Fund Board—Appointment: The Chair announced the Speaker’s appointment of the following individuals on the part of the House to the Library of Congress Trust Fund Board for a 5-year term: Mr. Lawrence Peter Fisher of Chevy Chase, Maryland, and Mr. Gregory Paul Ryan of Hillsborough, California. Page H9402

Harry S. Truman Scholarship Foundation—Appointment: The Chair announced the Speaker’s appointment of the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation: Representative Granger. Page H9402

Member Resignation: Read a letter from Representative Jenkins, wherein he resigned as Representative for the Third Congressional District of West Virginia, effective at midnight September 30, 2018. Page H9402

Senate Referrals: S. 1768 was referred to the Committee on Science, Space, and Technology, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure. S. 3170 was referred to the Committee on the Judiciary. S. 3354 was held at the desk. Page H9402

Senate Message: Message received from the Senate today appears on page H9255.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H9255, H9256, and H9257. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 2:15 p.m.

Committee Meetings

CONTRIBUTING FACTORS TO C–130 MISHAPS AND OTHER INTRA-THEATER AIRLIFT CHALLENGES

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a hearing entitled “Contributing Factors to C–130 Mishaps and Other Intra-Theater Airlift Challenges”. Testimony was heard from Rear Admiral Upper Half Scott D. Conn, Director, Air Warfare, Office of the Chief of Naval Operations, Department of the Navy; Lieutenant General Jerry D. Harris, Deputy Chief of Staff for Strategic Plans and Programs, Department of the Air Force; and Lieutenant General Donald Kirkland, Commander, Air Force Sustainment Center, Department of the Air Force.

EXAMINING OPPORTUNITIES FOR FINANCIAL MARKETS IN THE DIGITAL ERA

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled “Examining Opportunities for Financial Markets in the Digital Era”. Testimony was heard from public witnesses.
EXAMINING SOBER LIVING HOMES
Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled “Examining Sober Living Homes”. Testimony was heard from Representatives Judy Chu of California and Rohrabacher; Erik Peterson, Mayor Pro Tempore, Huntington Beach, California; Dave Aronberg, State Attorney, 15th Judicial Circuit, Florida; and public witnesses.

BUSINESS MEETING
Permanent Select Committee on Intelligence: Full Committee held a business meeting. A vote to release certain executive session material to the Intelligence Community, transmit 53 executive session witness depositions to the ODNI for classification review, and publicly release 53 executive session witness depositions passed. This meeting was closed.

Joint Meetings
No joint committee meetings were held.

COMMITEE MEETINGS FOR MONDAY, OCTOBER 1, 2018
(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House
No hearings are scheduled.

CONGRESSIONAL PROGRAM AHEAD
Week of October 1 through October 5, 2018

Senate Chamber
On Monday, Senate will resume Executive Session.
At 5 p.m., Senate will resume consideration of the House message to accompany H.R. 302, Sports Medicine Licensure Clarity Act, and vote on the motion to invoke cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, at 5:30 p.m.
During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees
(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: October 2, to hold hearings to examine implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act, 10 a.m., SD–538.
October 4, Full Committee, to hold hearings to examine combating money laundering and other forms of illicit finance, focusing on regulator and law enforcement perspectives on reform, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: October 3, to hold hearings to examine implementation of positive train control, 10 a.m., SR–253.
October 3, Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine protecting United States amateur athletes, focusing on examining abuse prevention efforts across the Olympic movement, 2:30 p.m., SR–253.
October 4, Full Committee, to hold hearings to examine broadband, focusing on opportunities and challenges in rural America, 10 a.m., SR–253.

Committee on Energy and Natural Resources: October 2, business meeting to consider S. 32 and H.R. 857, bills to provide for conservation and enhanced recreation activities in the California Desert Conservation Area, S. 90 and H.R. 428, bills to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 414, to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, S. 441, to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System in the State of New Mexico, S. 483, to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, S. 569, to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, S. 685, to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 966, to establish a program to accurately document vehicles that were significant in the history of the United States, S. 1012, to provide for drought preparedness measures in the State of New Mexico, S. 1149, to amend the Alaska Native Claims Settlement Act to provide for a small miner waiver from claim maintenance fees, S. 1219, to provide for stability of title to certain land in the State of Louisiana, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1481, to make

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October 4, Full Committee, to hold hearings to examine combating money laundering and other forms of illicit finance, focusing on regulator and law enforcement perspectives on reform, 10 a.m., SD–538.
technical corrections to the Alaska Native Claims Settlement Act, S. 1522 and H.R. 3186, bills to establish an Every Kid Outdoors program, S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon, S. 1572 and H.R. 3279, bills to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas, S. 1787, to reauthorize the National Geologic Mapping Act of 1992, S. 1926 and H.R. 2156, bills to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, S. 1987 and H.R. 2600, bills to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, S. 2062, to require the Secretary of Agriculture to convey at market value certain National Forest System land in the State of Arizona, S. 2078 and H.R. 4257, bills to maximize land management efficiencies, promote land conservation, generate education funding, S. 2160, to establish a pilot program under the Chief of the Forest Service may use alternative dispute resolution in lieu of judicial review of certain projects, S. 2166 and H.R. 4465, bills to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, S. 2249, to permanently reauthorize the Rio Puerco Management Committee and the Rio Puerco Watershed Management Program, S. 2290, to improve wildfire management operations and the safety of firefighters and communities with the best available technology, S. 2297, to direct the Secretary of Agriculture to transfer certain National Forest System land to Custer County, South Dakota, 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, S. 2809, to establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, S. 2831 and H.R. 5751, bills to redesignate Golden Spike National Historic Site and to establish the Transcontinental Railroad Network, S. 2870, to authorize the Secretary of the Interior to conduct a special resource study of the site known as "Amache" in the State of Colorado, S. 2876, to amend the National Trails System Act to provide for the study of the Pike National Historic Trail, S. 2889 and H.R. 4895, bills to establish the Medgar Evers Home National Monument in the State of Mississippi, S. 2968, to amend the Energy Reorganization Act of 1974 to clarify whistleblower rights and protections, S. 3001 and H.R. 6040, bills to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project, S. 3088, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a program to prepare veterans for careers in the energy industry, including the solar, wind, cybersecurity, and other low-carbon emissions sectors or zero-emissions sectors of the energy industry, S. 3172, to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, S. 3176 and H.R. 5979, bills to establish the Mill Springs Battlefield National Monument in the State of Kentucky as a unit of the National Park System, S. 3245, to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas, S. 3287 and H.R. 5653, bills to establish the Camp Nelson Heritage National Monument in the State of Kentucky as a unit of the National Park System, H.R. 132, to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, H.R. 167, to amend the Reclamation Project Act of 1939 to authorize pumped storage hydropower development utilizing multiple Bureau of Reclamation reservoirs, H.R. 2075, to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, H.R. 2630, to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and H.R. 4446, to amend the Virgin Islands of the United States Centennial Commission Act to extend the expiration date of the Commission, 10 a.m., SD–366.

Committee on Environment and Public Works: October 3, Subcommittee on Superfund, Waste Management, and Regulatory Oversight, to hold an oversight hearing to examine the Environmental Protection Agency's implementation of sound and transparent science in regulation, 2:15 p.m., SD–406.

Committee on Finance: October 2, to hold hearings to examine the nomination of Andrew M. Saul, of New York, to be Commissioner of Social Security, 10:30 a.m., SD–215.

Committee on Foreign Relations: October 2, to hold hearings to examine Russia's role in Syria and the broader Middle East; to be immediately followed by a closed session in SVC–217, 10 a.m., SD–419.

October 4, Full Committee, to hold hearings to examine the nomination of Eric George Nelson, of Texas, to be Ambassador to Bosnia and Herzegovina, Department of State, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: October 3, Subcommittee on Children and Families, to hold hearings to examine rare diseases, focusing on expediting treatments for patients, 2:30 p.m., SD–430.

Committee on Homeland Security and Governmental Affairs: October 3, to hold hearings to examine the nominations of Steven Dillingham, of Virginia, to be Director of the Census, and Michael Kubayanda, of Ohio, to be a Commissioner of the Postal Regulatory Commission, 10 a.m., SD–342.

Committee on Indian Affairs: October 3, business meeting to consider S. 664, to approve the settlement of the water rights claims of the Navajo in Utah, to authorize construction of projects in connection therewith, and
H.R. 5317, to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands; to be immediately followed by an oversight hearing to examine Government Accountability Office reports relating to broadband internet availability on tribal lands, 2:30 p.m., SD–628.

Committee on Judiciary: October 2, Subcommittee on the Constitution, to hold hearings to examine threats to religious liberty around the world, 2:30 p.m., SD–226.

October 3, Full Committee, to hold hearings to examine big bank bankruptcy, focusing on 10 years after Lehman Brothers, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: October 3, to hold hearings to examine expanding opportunities for small businesses through the tax code, 2:30 p.m., SR–428A.

Select Committee on Intelligence: October 2, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–216.

October 4, Full Committee, to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

Special Committee on Aging: October 3, to hold hearings to examine patient-focused care, focusing on a prescription to reduce health care costs, 9:30 a.m., SD–562.

United States Senate Caucus on International Narcotics Control: October 2, to hold hearings to examine combating the trafficking of illegal fentanyl from China, 9:30 a.m., SD–226.

House Committees

No hearings are scheduled.
Next Meeting of the SENATE
3 p.m., Monday, October 1
Senate Chamber

Program for Monday: Senate will resume Executive Session.
At 5 p.m., Senate will resume consideration of the House message to accompany H.R. 302, Sports Medicine Licensure Clarity Act, and vote on the motion to invoke cloture on McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., October 2, 2018
House Chamber

Program for Tuesday: House will meet in Pro Forma session at 12:30 p.m.

Extensions of Remarks, as inserted in this issue

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